

DEPARTMENT OF REGULATORY AGENCIES

State Plumbing Board

PLUMBING

3 CCR 720-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.0 STATEMENT OF BASIS AND PURPOSE

- 1.1 The Board adopts the following rules pursuant to the authority granted to the Colorado State Plumbing Board ("Board") by sections 12-58-104(1)(d) and 12-58-104.5(1) and (5), C.R.S. and hereby repeals all previous rules with the same number.
- 1.2 The following Rules and Regulations of the Colorado State Plumbing Board ("Board") are necessary for general clarification, efficient management, expeditious procedures, and safeguarding of the general public, in compliance with Title 12, Article 58 of the Colorado Revised Statutes. These Rules and Regulations shall be known, and may be cited, as "the Rules" and/or "these Rules."
- 1.3 These Rules shall be binding on every person and legal entity authorized to practice, offer to practice, or perform plumbing or plumbing contracting in Colorado. All licensees and registrants under Title 12, Article 58 of the Colorado Revised Statutes are charged with having knowledge of the existence of these rules and shall be deemed to be familiar with their provisions and to understand the rules. In these Rules, the word "licensee" shall mean any person holding a master plumber license, journeyman plumber license, or residential plumber license. In these Rules, the word "registrant" shall mean any person registered as a plumbing apprentice and any person or legal entity registered with the Board as a plumbing contractor.

These Rules are severable. If one rule or portion of a rule is found to be invalid, all other rules or portions of rules that can be enforced without the invalid rules shall be enforced and shall remain valid.

2.0 STANDARDS

2.1 Colorado Plumbing Code

The Board hereby adopts and incorporates by reference, with certain additions, revisions, and deletions, the following chapters, sections, and appendices of the International Plumbing Code ("IPC") and International Residential Code ("IRC"). These Rules, together with the following incorporated provisions, shall be known as the Colorado Plumbing Code. The Colorado Plumbing Code sets forth the minimum standards governing the inspection, installation, alteration, and repair of the plumbing fixtures, appliances, and systems throughout Colorado. The Colorado Plumbing Code does not include any later amendments to or editions of the IPC or IRC provisions listed below.

- 2.1.1 Chapter 1, Sections 101.2, 102, 105, 106.1, 106.3, 106.4, 106.5, 106.5.5, 106.6.1, 107, 108.1, 110.3 Chapters 2-12, 14; and Appendices B, C, D, E, F, of the IPC, 2012 edition, promulgated by the International Code Council, 1st printing (April 2012).

- 2.1.2** Chapter 1, Section R101, R102; Chapter 2; Chapter 3, Section R306; Chapters 25-32, of the IRC, 2012 edition, promulgated by the International Code Council, 1st printing (April 2012).

2.2 Colorado Fuel Gas Code

The Board hereby adopts and incorporates by reference, with certain additions, revisions, and deletions, the following chapters, sections, and appendices of the International Fuel Gas Code ("IFGC") and the IRC. These Rules, together with the following incorporated provisions, shall be known as the Colorado Fuel Gas Code. The Colorado Fuel Gas Code sets forth the minimum standards governing the inspection, installation, alteration, and repair of fuel gas piping and systems throughout Colorado. The Colorado Fuel Gas Code does not include any later amendments to or editions of the IFGC and IRC provisions listed below.

- 2.2.1** Chapter 1 Section 101, 102, 105, 107, Chapters 2-8 Appendices A-C of the IFGC, 2012 edition, promulgated by the International Code Council, 1st printing (January 2012).

- 2.2.2** Chapter 1, Section R101, R102; Chapter 2; Chapter 24, Sections G2411-G2422 of the IRC, 2012 edition, promulgated by the International Code Council, 1st printing (April 2012).

2.3 Public Copies

Copies of the provisions of the IPC, IFGC, and IRC, adopted and incorporated into the Colorado Plumbing Code and the Colorado Fuel Gas Code, are available for public inspection during regular business hours at the Board office at the Division of Professions and Occupations, Department of Regulatory Agencies, 1560 Broadway, Suite 1350, Denver, Colorado, 80202, and at any state publications depository library. For further information regarding how this material can be obtained or examined, contact the Program Director for the Board ("Program Director") at 1560 Broadway, Suite 1350, Denver, Colorado, 80202, (303) 894-2309. Copies of the IPC, IFGC, and IRC may be obtained from the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. A list of ICC regional offices is available at <http://www.iccsafe.org/AboutICC/Pages/ContactICC.aspx>.

2.4 General Interpretations

The following shall apply to the Colorado Plumbing Code and Colorado Fuel Gas Code.

- 2.4.1 Code Official.** Whenever the Colorado Plumbing Code and the Colorado Fuel Gas Code refer to "the code official," it shall mean the Board or its designee, if any.

- 2.4.2 Reasonable Time.** As used in the Rules, the term "reasonable time" shall mean thirty (30) calendar days.

2.4.3 Abbreviations

ANSI – American National Standards Institute

ASME – American Society of Mechanical Engineers

ASSE – American Society of Sanitary Engineers

ASTM – American Society for Testing and Materials

C.F.R. – Code of Federal Requirements

C.R.S. – Colorado Revised Statutes

ICC – International Code Council

NFPA – National Fire Protection Association

2.4.4 Alternate Materials and Methods Review

2.4.4.1 Criteria. The Board shall consider requests for approval of alternate materials or methods under the procedures and limitations of Section 105 of the Colorado Plumbing Code and Colorado Fuel Gas Code.

2.4.4.2 Procedures

- A. Petitions for Approval.** Any interested person may petition the Board to amend the Colorado Plumbing Code so as to approve the use of an alternate material or method, pursuant to Section 105 of the IPC. Such petition shall conform to the requirements in B.2. Incomplete petitions will not be processed.
- B. Petition Contents.** Each petition filed under this rule shall comply with the following requirements:
 - 1. Where to Submit.** Petitions shall be submitted in duplicate to the Program Director.
 - 2. Petition Document.** Petitions shall begin with a short concise document labeled as the “petition,” and which includes the following information:
 - (a)** Identification of the petitioner and the petitioner's interest in the alternate materials or methods approval. This identification shall designate one person as the Board's contact for the petition, and list telephone, fax, e-mail, and mailing addresses for that person.
 - (b)** A full description of the types of uses for which the petitioner would like approval. This list should be sufficiently detailed to allow the Board to consider specific types of applications or uses for the alternate material and/or method.
 - (c)** A complete identification of the applicable standards from the Referenced Standards identified in the Colorado Plumbing Code or Colorado Fuel Gas Code that the petitioner proposes to be the acceptance criteria for the alternate material or method.
 - (d)** If the petition is for approval of an alternate material, one sample of the material. The sample will be returned to the petitioner after completion of the review process.
 - (e)** Copy of approval language of each code the petitioner cites.

3. **Submission of National Standards.** Each petition shall be accompanied by a set of the applicable standards from the Referenced Standards identified in the Colorado Plumbing Code or Colorado Fuel Gas Code listed by the petitioner in Rule 2.4.3.2.B.2(c). If the listed standard incorporates other standards into its criteria, copies of the incorporated standards shall be submitted as well.
4. **Results of Independent Third Party Compliance Testing.** Each petition shall be supported with complete copies of test reports with protocols issued within the previous eighteen (18) months prior to the date of submission by a laboratory or other testing facility that is recognized as a nationally recognized testing laboratory, pursuant to 29 C.F.R. section 1910.7, or by an ANSI accredited third-party certifier.
5. **Compliance with Section 105.** Each petition shall be supported by detailed written discussion as to why the proposed alternate material or method meets the following requirements from Section 105 of the IPC:
 - (a) That the proposed design of the proposed alternate material is satisfactory and complies with the intent of the Colorado Plumbing Code or Colorado Fuel Gas Code.
 - (b) That the proposed material is appropriate for the proposed intended use at least the equivalent of that prescribed in the Colorado Plumbing Code or Colorado Fuel Gas Code with respect to quality, strength, effectiveness, durability and safety. This description requires that the petitioner directly compare the quality, strength, effectiveness, durability and safety data on the applicable conventional systems with the tested and documented performance characteristics of the proposed alternate material and/or method.
 - (c) When an alternate installation method is proposed, the petitioner shall describe how the proposed method of installation conforms to the most recently adopted edition of the Colorado Plumbing Code or Colorado Fuel Gas Code.

2.4.4.3 Reconsideration of Board Action

Any petitioner whose petition has not been fully granted by the Board may apply for reconsideration of the Board's decision within thirty (30) days of the mailing of the Board's notice of denial, publication of notice of termination, or publication of the Board rule that partially granted the petition. A request for reconsideration shall be in writing and shall explain why reconsideration is warranted. Action on any request for reconsideration is within the sole discretion of the Board.

- 2.4.5 Fee Establishment.** Licensing, permit, and reinspection fees shall be established pursuant to section 24-34-105, C.R.S., and shall be categorized appropriately, such as original license, registration, endorsement, renewal, reinstatement fees, permit fees, and reinspection fees.

- 2.4.6 Information Only Sections.** Installations detailed in the Colorado Plumbing Code that are typically not installed by plumbers (i.e. , shower wall composition from Sections 417.4.1, IPC and P2710.1, IRC; Shower floors from Sections 417.5, IPC and P2709.2, P2709.3, IRC) are not subject to licensing, permitting or inspection but are informational only.

2.5 Revisions and Exceptions to the Incorporated Codes

2.5.1 Revisions and Exceptions to the Colorado Plumbing Code

2.5.1.1 IPC Section 202 Definitions.

Add new definitions to read:

Trap drain. That portion of horizontal piping between the weir of a trap and the point where it intersects with the vent serving that same trap (trap arm).

2.5.1.2 IPC Section 202 Definitions.

Fixture drain. Delete the definition and replace with:

Fixture Drain. That portion of a plumbing drainage system that connects the trap drain to any other drain pipe receiving the discharge from one or more plumbing fixtures.

2.5.1.3 IPC Section 301.3 Connection to drainage system

Delete the Exception in its entirety.

2.5.1.4 IPC Section 308 Interval of support:

308.5 Interval of support

Add new sentence at the end of the section to read:

Hanger support rods shall be sized in accordance with table 308.5.1 Hanger Rod Size.

2.5.1.5 Add new Table 308.5.1 Hanger Rod Size

Table 308.5.1 Hanger Rod Size	
Pipe and Tube Size	Rod Size
1/2" - 4"	3/8"
5" - 8"	1/2"
10" - 12"	5/8"

2.5.1.6 IPC Section 312.1 Required tests

Delete the words "for piping systems other than plastic"

2.5.1.7 IPC Section 312.3 Drainage and vent air test

Delete the words "Plastic piping shall not be tested using air."

2.5.1.8 IPC Section 312.4 Drainage and vent final test

Delete in its entirety.

2.5.1.9 IPC Section 312.5 Water supply system test

Delete the words "for piping systems other than plastic"

2.5.1.10 IPC Section 312.9 Shower liner test

Delete in its entirety.

2.5.1.11 IPC Section 405.3.2 Public Lavatories

Add a new exception reading:

Exception: Lavatories located outside a toilet room located within a classroom serving students from that classroom only. These toilet rooms and lavatories shall not count toward the total fixture count required by Table 403.1.

2.5.1.12 IPC Section 417.7 Shower head location

Add new section to read:

417.7 Shower head location. Showerheads shall be located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

2.5.1.13 IPC Section 417.8 Shower valve location

Add new section to read:

417.8 Shower valve location. A shower or tub/shower control valve shall be installed only where the spout and/or shower head discharges into an approved tub or shower compartment.

Exception: Emergency Showers.

2.5.1.14 IPC Section 504.6.1 Collection of Relief Valve Discharge

Add new section 504.6.1 to read:

504.6.1. Collection of Relief Valve Discharge. A means shall be provided to capture the discharge from a relief valve and convey it to the sanitary drainage system or exterior of the structure either by gravity or a pumped discharge.

Exceptions:

1. Replacements for existing water heaters.

2. Where a water sensing device wired to a normally closed solenoid valve installed in the water service piping is placed within the water heater drain pan.

2.5.1.15 IPC Section 504.6.1.1 Pumped discharge of relief valve collection

Add new Section 504.6.1 to read:

504.6.1.1 Pumped discharge of relief valve collection. Pumps used to discharge the clear water collection of relief valves shall have an operating temperature equal to or exceeding that of the relief valve discharge temperature and shall have a gpm rating equal to or greater than the discharge of the relief valve.

2.5.1.16 IPC Section 608.17 Protection of individual water supplies

Delete in its entirety.

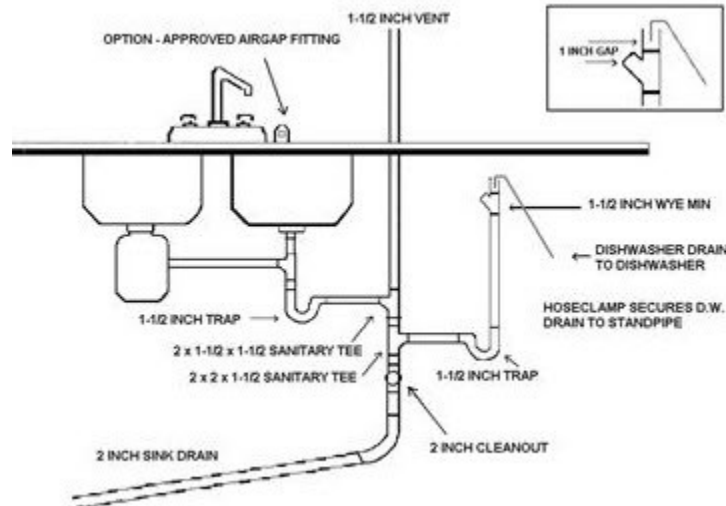
2.5.1.17 IPC Section 802.2 Installation

Delete the last sentence.

2.5.1.18 IPC Section 802.1.6 Domestic dishwashing machines.

Add an exception to read:

Exception: Domestic dishwashing machines may be connected to a separately trapped stand pipe provide with an air break as shown in the illustration below.



2.5.1.19 IPC Section 903.1 Roof extensions

Insert 6 inches into the section so that it reads: "All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent shall be extended at least 7 feet (2134 mm) above the roof."

2.5.1.20 IPC Section 903.2 Frost Closure

Delete in its entirety.

2.5.1.21 IPC Section 1002.1 Fixture traps.

Add new exception 4 to read:

Exception: 4. Trench and floor drains connected to a sand oil interceptor need not be individually trapped provided the drain piping from the trench or floor drains is turned down after entering the interceptor so the discharge point is a minimum of 4 inches below the standing water level of the interceptor.

2.5.1.22 IPC Section 1002.3 Trap Seals

Add new exception to read:

Exception: A trap seal primer valve is not required where the trap seal is protected by a barrier type floor drain trap seal protection device conforming to ASSE 1072.

2.5.1.23 IPC Section 1003.1 Where required

Add the following Exception

Exception: Where special regulations exist by the local waste water and/or sanitation district into which the grease trap or interceptor effluent is transported and/or treated. These regulations may supersede this requirement.

2.5.1.24 IPC Section 1101.3 Prohibited drainage

Add a new sentence to the end of the section reading: Storm water from roof drains shall not discharge over public walkways.

Exception: Secondary drains.

2.5.1.25 IPC Chapter 14 Reference Standards

Add ASSE Standard 1072—2007 to the list of ASSE standards as follows:

1072-2007 Performance Requirements for Barrier Type Floor Drain Trap Seal Protection Devices.....1024.

2.5.2 Revisions and Exceptions to the International Residential Code Part VII incorporated as the Colorado Plumbing Code

2.5.2.1 IRC Section R202 Definitions

Add new definition to read as follows:

Multipurpose Residential Fire Sprinkler System. A Multipurpose Residential Fire Sprinkler System includes the domestic water distribution piping and the fire sprinkler piping which shall be a part of and connect to the cold water distribution piping at any point.

2.5.2.2 IRC Section R202 Definitions

Add new definition to read as follows:

Trap drain. That portion of horizontal piping between the weir of a trap and the point where it intersects with its vent.

2.5.2.3 IRC Section R202 Definitions

Fixture drain. Delete the definition and replace with:

That portion of a plumbing drainage system that connects the trap drain to any other drain pipe receiving the discharge from one or more plumbing fixtures.

2.5.2.4 IRC Section P2503.5.1 Rough Plumbing

Delete the words “for piping systems other than plastic”

2.5.2.5 IRC Section P2503.6 Shower liner test

Delete in its entirety.

2.5.2.6 IRC Section P2503.7 Water supply system testing

Delete the words “for piping systems other than plastic”

2.5.2.7 IRC Section P2503.8.2 Testing

Delete in its entirety.

2.5.2.8 IRC Section P2601.2 Connection to drainage system

Delete the **Exception** in its entirety.

2.5.2.9 IRC Section P2708.5 Shower head location

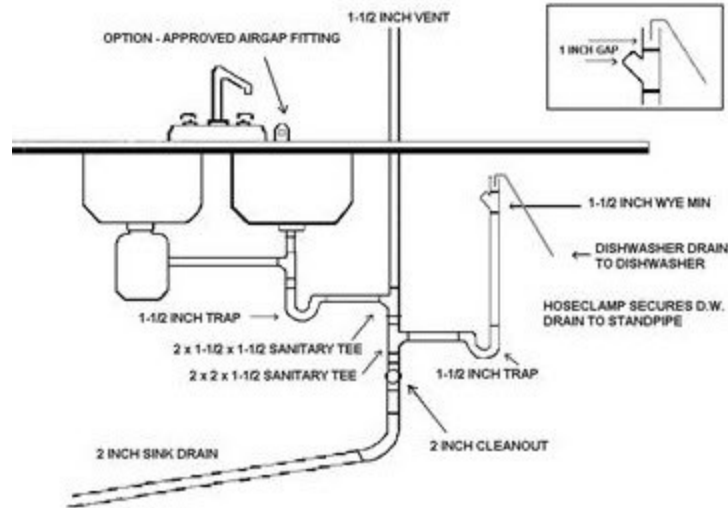
Add new section P2708.5 to read:

P2708.5 Shower head location. Showerheads shall be so located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

2.5.2.10 IRC Section P2717.4 Dishwasher drain.

Add new section to read:

IRC Section P2717.4 Dishwasher drain. Dishwashers may drain into a standpipe complying with Section P2706.2 as shown in the illustration below. The standpipe shall be provided with an air break.



2.5.2.11 IRC Section P2803.6.2 Collection of Relief Valve Discharge

Add new section P2803.6.2 to read:

P2803.6.2 Collection of Relief Valve Discharge. A means shall be provided to capture the discharge from a relief valve and convey it to the sanitary drainage system or exterior of the structure either by gravity or a pumped discharge.

Exceptions:

1. Replacements for existing water heaters.
2. Where a water sensing device wired to a normally closed solenoid valve installed in the water service piping is placed within the water heater drain pan.

2.5.2.12 IRC Section P2803.6.2.1 Pumped discharge of relief valve collection

Add new Section P2803.6.2.1 to read:

P2803.6.2.1 Pumped discharge of relief valve collection. Pumps used to discharge the clear water collection of relief valves shall have an operating temperature equal to or exceeding that of the relief valve discharge temperature and shall have a gpm rating equal to or greater than the discharge of the relief valve.

2.5.2.13 IRC Section P2904 General

Delete in its entirety and replace with:

P2904.1 General. Where installed, residential fire sprinkler systems, or portions thereof, shall be in accordance with NFPA 13D or Section P2904, which shall be considered equivalent to NFPA 13D. Section P2904 shall apply to multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall supply domestic water to both fire sprinklers and plumbing fixtures. A backflow preventer shall not be required to separate the sprinkler system from the water distribution system.

2.5.2.14 IRC Section P3009 Gray water recycling systems

Delete in its entirety.

2.5.2.15 IRC Section P3103.2 Frost closure

Delete in its entirety.

2.5.2.16 IRC Section P3201.2 Trap seals and trap seal protection

Add a new exception to read:

Exception: A trap seal primer valve is not required where the trap seal is protected by a barrier type floor drain trap seal protection device conforming to ASSE 1072.

2.5.3 Revisions and exceptions to the International Fuel Gas Code incorporated as the Colorado Fuel Gas Code

2.5.3.1 IFGC Section 101.1 Title

Delete in its entirety.

2.5.3.2 IFGC Section 101.2.2 Piping Systems

Delete the words "and maintenance" from the end of the last sentences.

2.5.3.3 IFGC Section 303. Prohibited locations

Delete the words "toilet rooms" from the section.

2.5.3.4 IFGC Section 310.1.1 CSST

Add a new exception to read:

Exception: Conductive Jacketed Corrugated Stainless Steel Tubing (CSST) with arc resistant jacketing complying with Listing LC1024 from the ICC Evaluation Service shall be installed per the manufacturer's installation instructions and the listing's requirements.

2.5.3.5 IFGC Section 403.10.5 Welded joints

Add new section 403.10.5 to read:

403.10.5 Welded Joints. Welded joints shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

2.5.3.6 IFGC Section 406.1 Inspection, Testing, and Purging

Add a new sentence to the end of the section reading:

Inspection and pressure testing shall apply to temporary installations connected to a primary fuel gas source for the purpose of supplying temporary heat.

2.5.3.7 IFGC Section 408.4 Sediment trap

Delete in its entirety

2.5.3.8 IFGC Section 409.5.3 Located at manifold

Delete in its entirety.

2.5.3.9 IFGC 409.6 Shutoff valve for laboratories

Add new subsection 409.6.1 to read:

409.6.1 Electric Solenoid Valve. A remotely located electric solenoid emergency shutoff valve may be used for compliance to Section 409.6, when all the following requirements are met.

1. The emergency control shutoff “panic button” shall be readily accessible, located within the laboratory space served, adjacent to the egress door from the space and shall be identified by approved signage stating “Gas Shutoff” .
2. The gas solenoid valve shall be a “normally closed” type valve with a manual reset.

2.5.4 Revisions and exceptions to the International Residential Code Chapter 24 Fuel Gas incorporated as the Colorado Fuel Gas Code

2.5.4.1 IFGC Section G2414.10.5 Welded joints

Add new section G2414.10.5 Welded joints to read: Welded joints. **Welded joints** shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

2.5.4.2 IRC Section G2411.1 Gas Pipe Bonding

Add a new exception to read:

Exception: Conductive Jacketed Corrugated Stainless Steel Tubing (CSST) with arc resistant jacketing complying with Listing LC1024 from the ICC Evaluation Service shall be installed per the manufacturer’s installation instructions and the listing’s requirements.

2.5.4.3 IRC Section G2419.4 Sediment Trap

Delete in its entirety.

2.5.4.4 IRC Section G2420.5.3 (Shutoffs) Located at manifolds

Delete in its entirety

3.0 APPRENTICE REGISTRATION AND RECORDKEEPING

3.1 Registration

- 3.1.1 The Board may require the employer of a plumbing apprentice to provide information verifying the apprentice's record of employment and practical experience, including but not limited to a written attestation from the responsible master plumber verifying that the apprentice has been performing plumbing work during any period the apprentice was not registered. Employers of apprentices shall cooperate with any request from the Board pursuant to this rule and furnish such information or assistance as the Board may request.
 - 3.1.2 An individual that holds an active residential plumber's license and is working on a commercial job site must be registered as an apprentice.
 - 3.1.3 An employer who fails to timely register an apprentice as required by section 12-58-105(2)(a), C.R.S. and this rule shall be subject to disciplinary action pursuant to section 12-58-110(1), C.R.S.
- 3.2 **Recordkeeping.** Plumbing Contractors shall maintain employment records or work reports for their apprentices in order to provide experience verification. Such records or reports should accurately document the number of hours and months the apprentice performed plumbing work and should specifically reflect exact dates of employment.
- 4.0 **APPLICATIONS AND LICENSING**
- 4.1 **Applications for License Examinations**
- 4.1.1 **Submission.** All applications for license examinations shall be submitted to the Division of Professions and Occupations.
 - 4.1.2 **Incomplete Application.** An application for a license by examination or endorsement submitted without all required fees and documentation will be considered incomplete. Incomplete applications will be retained for one (1) year from the date originally received, after which applicants shall begin the process again including payment of the application fee.
 - 4.1.3 **Documentation.** Any applicant for the residential, journeyman, or master plumber's license exam shall furnish evidence as to his or her training and experience to qualify for the examination by:
 - 4.1.3.1 A record of employment and/or as an apprentice doing plumbing work, exact dates so employed, and, at time of application, submission of original documented written evidence, verified by the master license holder or registered plumbing contractor.
 - 4.1.3.2 If training and experience were obtained outside the State of Colorado, the applicant shall provide the Board with documented, written evidence verified by the employer of actual work performed.
 - 4.1.3.3 If training and experiences were obtained all or in part from an accredited high school vocational technical training course, community college, or trade school program, a transcript from the accredited high school vocational technical training course, community college or trade school verifying completion of the program shall be submitted with the application. The program length shall be a minimum of two (2) years. Such education may replace actual field experience under a licensed master as follows: one hour of classroom training equals one hour of on the job training up to a maximum of one (1) year.

4.1.3.4 If training and experiences were obtained all or in part from military training in plumbing work, detail and submit such for evaluation with the application. Such experience may replace actual field experience under a licensed master as follows: one month for every six (6) months' training or experience up to a maximum of one (1) year.

4.1.3.5 The hours of practical experience required to qualify for examinations are:

A. Residential Plumber	3,400
B. Journeyman Plumber	6,800
C. Master Plumber	8,500

4.1.4 Expiration. An approved applicant for licensure by examination who does not take the examination within one (1) year from the original approval date may be required to submit an updated application.

4.2 Licenses.

4.2.1 Issuance. Residential, journeymen or master plumbing licenses will be issued upon successful passing of the respective examination.

4.2.1.1 By endorsement. Licensees from another state may be eligible for licensure by endorsement providing that the applicant meets the requirements of section 12-58-111, C.R.S. and all of the following conditions:

- A.** Completion of a state or federally approved or registered apprenticeship program, or completion of the required years and type of experience for the comparable license.
- B.** Successful completion of a comparable state plumbing examination based on the current or previous edition of the plumbing code adopted by the Board.
- C.** Currently holds an active license by the endorsing state.

4.3 Disapproval

4.3.1 Reconsideration. An applicant requesting reconsideration of a Board action concerning a disapproval of an application or license by endorsement or requesting a personal interview before the Board, shall submit the request in writing, accompanied by additional information or documentation. This request shall be submitted within forty-five (45) days of the date on which the Board made the decision. The Board may not consider requests filed thereafter.

4.4 Temporary Work Permits

4.4.1 Issuance. Pursuant to section 12-58-112, C.R.S., a temporary work permit may be issued at the time of approval for an examination. The temporary permit will be valid for a period of no more than thirty (30) days after the date of approval or as otherwise limited in section 12-58-112, C.R.S.

4.4.2 Not allowed. A temporary work permit shall not be accepted to meet the requirements for a new contractor registration.

4.4.2.1 A temporary master plumber work permit may be issued to a qualified applicant of an existing plumbing contractor pursuant to section 12-58-112(4), C.R.S.

4.5 Renewal.

4.5.1 A licensee or registrant shall have a sixty-day grace period after the expiration of his or her license or registration to renew such license or registration without having to submit a reinstatement application. During this grace period a delinquency fee will be charged for late renewals.

4.5.2 A licensee or registrant who does not renew his or her license or registration shall be ineligible to practice until such license or registration is reinstated. If the licensee or registrant practices with an expired license or registration, the Board may impose disciplinary actions.

4.5.3 An expired license or registration may be reinstated by submitting a reinstatement application and paying the current reinstatement fee.

4.5.4 If the license or registration has expired for two (2) years or more, the licensee or registrant shall demonstrate competency to practice by satisfactorily passing the State plumbing examination.

4.5.5 Registered Plumbing Contractors with expired permits shall not have their contractor registrations renewed until such time as all expired permits are cleared or as otherwise allowed by the Board.

4.6 Reinstatement

4.6.1 Any individual who has become licensed as a journeyman and master plumber in the State of Colorado by examination and keeps his or her master plumber license active in Colorado may reinstate the expired journeyman license without re-examination by submitting a reinstatement application and paying the current reinstatement fee.

4.7 Pumping Equipment License

License required. Any individual licensed as a residential plumber, journeyman plumber, or master plumber under Title 12, Article 58 of the Colorado Revised Statutes who intends to install, alter, or repair "pumping equipment", as defined by section 37-91-102(13), C.R.S. shall first apply for and obtain licensure with the Water Well Construction and Pump Installation Contractors Board prior to commencing any such activity. Failure to comply with the licensure requirements set forth herein shall be, if proven, a violation of section 12-58-110(1)(b), C.R.S.

("Pumping equipment" means any pump or related equipment used or intended for use in withdrawing or obtaining groundwater, including, but not limited to, well seals, pitless adapters, and other safeguards to protect the groundwater from contamination and any waterlines up to and including the pressure tank and any coupling appurtenant thereto.)

5.0 EXAMINATIONS

5.1 **Identification.** The applicant shall present positive photo identification in order to be admitted to the examination area.

5.2 **Proprietary Information.** The content and answers to examinations for licensure or renewal administered by the Board are proprietary property. Licensees and registrants shall not disclose, or offer to disclose any portion of the examinations to others. Licensees and registrants may be

subject to disciplinary action by the Board should they disclose, or offer to disclose, sell or otherwise distribute the content and/or answers for any examinations administered by the Board.

5.3 Results Examination results will be provided in writing to each examinee. Results will not be given in any other manner. Consistent with widely accepted testing practices, applicants who pass the examination will be given their results in a pass/fail format.

5.4 Review. Examinations shall not be subject to review by applicants.

6.0 LICENSEE AND REGISTRANT RESPONSIBILITIES

6.1 Requirement to Carry Documentation. Any licensed or registered individual working as a plumber or apprentice shall be required to carry on his or her person the appropriate license, temporary work permit, or registration.

6.2 Residential Plumber on Commercial Job. Residential Plumbers must maintain an apprentice registration when working on commercial jobs and be supervised accordingly.

6.3 Plumbing Contractor's Loss of Responsible Master. A plumbing contractor that, for any reason, loses the services of the responsible master plumber will be allowed twenty (20) days in which to hire another master plumber. If another master plumber has not been hired during that period, the plumbing contractor registration will be placed into a "Need Master Hire-Cannot Practice" status until such time as a master has been hired, and the appropriate fee paid.

6.4 Termination or Separation of Apprentice. Plumbing contractors shall notify the Board within thirty (30) days after the termination or separation of a plumbing apprentice.

6.5 Apprentice Information File. It shall be the responsibility of the apprentice to file and keep current contact information with the Board. Notification by any manner approved by the Board is acceptable but the online registration system is preferred.

6.6 Notice of Change of Address

6.6.1 A licensee or registrant shall inform the Board in a clear, explicit, and unambiguous written statement of any name, address, telephone, or email change within thirty (30) days of the change. The Board will not change the licensee or registrant information without explicit written notification from the licensee or registrant. Notification by any manner approved by the Board is acceptable.

6.6.1.1 The Division of Professions and Occupations maintains one (1) contact address for each licensee or registrant, regardless of the number of licenses or registrations the licensee or registrant may hold.

6.6.1.2 All communications will be sent to the address on record for each licensee or registrant. Address change requests to route specific communications (*i.e.* , confidential communications) to a separate address are not accepted.

6.6.2 The Board requires one (1) of the following forms of documentation to change the name or correct the social security number of a licensee or registrant:

- A.** Marriage license;
- B.** Divorce decree;
- C.** Court order; or

- D. A driver's license or social security card with a second form of identification may be acceptable at the discretion of the Division of Professions and Occupations.

7.0 PERMITS AND INSPECTIONS

7.1 Permits

- 7.1.1 **Permit Required.** A permit and inspections shall be required for all plumbing or fuel gas piping work as described in the Title 12, Article 58, C.R.S. and/or the Colorado Plumbing Code or Colorado Fuel Gas Code, either through the Board or the Local Authority Having Jurisdiction.
- 7.1.2 **Issuance.** Plumbing or fuel gas piping permits shall be issued in the name of the qualified applicant or registered contractor performing the work prior to the commencement of any work being undertaken.
- 7.1.3 **Fraudulent Information.** Any permit issued as a result of fraudulent or incorrect information supplied on the application shall be cancelled.
- 7.1.4 **Double Fee.** Any work commencing prior to the purchase of a permit is subject to twice the prescribed permit fee.
- 7.1.5 **Stop Work Order**
 - 7.1.5.1 **Notice to owner.** Upon notice from the *plumbing inspector* that work on any building or structure is being installed contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work, or posted at the job site and shall state the conditions under which work will be permitted to resume.
 - 7.1.5.2 **Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by this article.
- 7.1.6 **Moved Buildings.** Moved buildings with a pre-existing plumbing and or fuel gas system.
 - 7.1.6.1 New potable water supply and sanitary system may be connected upon written verification to the Board from a plumbing contractor that the existing system presents no hazard to life, health, or property. A permit and inspection are required to witness proper connections are made.
 - 7.1.6.2 Prior to connecting an existing gas piping system to a new gas supply, a permit must be obtained, a pressure test performed, and an inspection must be approved.
 - 7.1.6.3 Any new plumbing or gas piping system installed in a moved building shall require a permit and inspections according to the codes and amendments enforced at the time the permit is obtained.
- 7.1.7 **Temporary Buildings.** Temporary buildings used by the public shall incorporate sanitary facilities and potable water in accordance with the Colorado Plumbing Code. Permits and inspections are required.

7.2 Inspections

7.2.1 How Conducted. Inspections shall be conducted according to Section 107 (IPC, IFGC) and Section P2503 (IRC) as adopted into the Colorado Plumbing Code or Colorado Fuel Gas Code.

7.2.2 Requirements for inspections. Persons requesting inspections shall provide:

- A. Access to the inspection area during the reasonable working hours (*i.e.* , Monday through Friday, 8:00 a.m. to 5:00 p.m.).
- B. Ladders for access to inspection areas such as roofs and/or deep crawl spaces.
- C. An approved set of design plans for commercial and school jobs shall be located at the job site.

7.2.3 Inspection Categories. Prior to requesting an inspection, the installation to be inspected shall be complete and under test by the following categories:

7.2.3.1 Plumbing

- A. **Underground plumbing** (all drain, waste, vent, and water piping below grade).
- B. **Rough in plumbing** (all drain, waste, vent, and water piping, valves above grade).
- C. **Final Plumbing** (all plumbing fixtures installed with hot and cold running water).

7.2.3.2 Gas piping

- A. **Rough gas piping** (all piping shall be installed and under the prescribed air test).
- B. **Underground installation** (any underground piping after the point of delivery by the purveyor).
- C. **Final gas piping inspection** (all gas appliance shutoff outlets shall be installed, capped or plugged, unless connected to a properly vented gas burning appliance).

7.2.4 Incomplete Installations. Installations that are incomplete when the inspector arrives may be subject to a re-inspection fee.

Exception: Large projects may have partial inspections in designated areas as needed to keep projects within a time schedule. All portions of the installation must be completed within the designated area of inspection.

7.2.5 Reinspection Fees. A reinspection fee may be assessed at the discretion of the inspector for reasons including, but not limited to, the following:

7.2.5.1 The job is not ready for an inspection and an extra trip is required for the inspector (a job with multiple code violations may be considered “not ready” by the inspector).

- 7.2.5.2 Corrections have not been made to all code violations cited from previous inspection.
- 7.2.5.3 No access to the job site for reasons including but not limited to; locked gate or door, snow not plowed, no escort into an occupied structure, etc. (inspectors may not enter an occupied residence without an escort at least 18 years or older).
- 7.2.5.4 Hazardous construction site as determined by the inspector or OSHA guidelines (may include loose dogs, etc.)
- 7.2.5.5 Address not posted so as to be visible from the street or road.
- 7.2.5.6 Improper directions to jobsite given on permit or inspection requests.
- 7.2.6 **Reinspection.** A reinspection shall not be performed until the reinspection fee has been paid.
- 7.2.7 **Requests.** An inspection request will only be accepted from the permit owner or their agent.
- 7.2.8 **Provide services.** A utility purveyor shall not provide service to any structure required to have gas inspections required by Article 58, Title 12, section 12.58.114.5(1) without proof of final approval as provided in Section 7.2.3.29(c).

8.0 ENFORCEMENT

- 8.1 **Knowledge of Violation.** Licensees and registrants having knowledge of, or involvement in, any alleged violation of Title 12, Article 58, C.R.S. or Board rules, shall cooperate with any investigation initiated by the Board and furnish such information or assistance as may be requested.
- 8.2 **Reporting Felony Convictions.**
 - 8.2.1 A licensee or registrant, as defined in section 12-58-102(2), (3), (6), (7), and (9), C.R.S., including but not limited to registered plumbing apprentices, registered plumbing contractors, or licensed plumbers (residential, journeyman, and master) shall inform the Board, in a manner set forth in this Rule, within forty-five (45) days of the conviction of the licensee or registrant of a felony under the laws of any state or of the United States.
 - 8.2.2 The conviction of the licensee or registrant of a felony under the laws of any state or of the United States is grounds for discipline pursuant to section 12-58-110(1)(f), C.R.S.
 - 8.2.3 For purposes of this rule, a "conviction" includes:
 - A. A guilty verdict;
 - B. A plea of guilty accepted by the court; or
 - C. A plea of nolo contendere (no contest) accepted by the court.
 - 8.2.4 The notice to the Board shall include the following information:
 - A. The court;
 - B. The jurisdiction;

- C. The case name;
- D. The case number; and
- E. A description of the matter or a copy of the indictment or charges.

8.2.5 The licensee or registrant shall inform the Board of the following information within forty-five (45) days of each such occurrence:

8.2.5.1 The imposition of sentence for a felony conviction; and

8.2.5.2 The completion of all terms of a sentence for a felony conviction.

8.2.6 The licensee or registrant notifying the Board may submit a written statement with any notice under this rule to be included in the registrant or licensee records.

8.2.7 This rule shall apply to any conviction or plea as described in Rule 8.2.3.

8.3 Citations

8.3.1 Forms. The citation form will be completed by the state plumbing inspector or by the Board. Citations shall be served by certified mail, in person by a State plumbing inspector, or by waiver of personal service. Personal service provided by the plumbing inspector shall be verified by affidavit. The Program Director will approve the completed and served citation. The Board maintains the discretion to dismiss the citation at any time.

8.3.2 Response. The citation form shall direct the recipient to respond in one of the following ways within ten (10) working days after service of the citation:

- A. Pay the fine;
- B. Submit a written request to negotiate a stipulated settlement agreement with the Program Director; or
- C. Submit a written request for a formal administrative hearing.

8.3.3 Fines. If one of the following actions is not taken by the citation recipient within ten (10) working days following service of the citation, recipient will be deemed to have failed to comply with the citation:

- A. Full payment of the fine;
- B. Written request for negotiation of a stipulated settlement agreement; or
- C. Written request for a formal administrative hearing. Reasonable attorney fees and costs may be assessed by the Board when taking formal action to collect fines. A citation offense that is more than four (4) years old will not be considered by the Board when determining disciplinary action.

8.3.4 Negotiations. All requests and explanation for negotiation of a stipulated settlement agreement shall be submitted to the Program Director or designee in writing and may include information in mitigation of the violation. Inspectors shall not negotiate settlements or accept payments of fines resulting from citations. The date the request for negotiation of a stipulated settlement agreement is received by the Program Director

constitutes the submittal date. After reviewing the requested settlement information, the Program Director has the option to authorize any of the following actions:

- A. Reduce the fine;
- B. Arrange a payment schedule for the fine;
- C. Permit a personal appearance before the Board;
- D. Refer the matter to the Board.

8.3.4.2 Termination of negotiations. Negotiations may terminate for reasons including but not limited to:

- A. The recipient admits to committing the violation;
- B. The recipient does not conduct settlement negotiations timely and in writing;
- C. The recipient does not present reasonable mitigating or extenuating information in writing;
- D. The Program Director determines the settlement negotiations are not being conducted in good faith or are being conducted for the purpose of delay;
- E. It appears unlikely the parties will reach a negotiated resolution;
- F. The recipient has prior violations that need to be brought to the Board's attention prior to attempting settlement negotiations.

8.3.5 Stipulation Agreement. A stipulated settlement agreement shall be signed and dated by the Program Director and the citation recipient. The stipulated settlement agreement shall be approved by the Board to become final and shall contain an admission of the violation(s), unless good cause exists, in the Program Director's discretion, to omit one or more admissions. A stipulated settlement agreement shall be considered a violation for the purpose of determining the fine amount of subsequent violations.

8.3.6 Formal Hearing. A written request from the citation recipient to proceed to a formal hearing may be submitted at any time during settlement negotiations. If the negotiations are subsequently deemed futile, the citation recipient shall be notified that payment of the fine or request for a formal administrative hearing shall be submitted within ten calendar days. Written settlement information may be used against the licensee, registrant, or applicant respondent at the hearing when unsuccessful settlement negotiations proceed to a formal administrative hearing.

8.3.7 Attorney General Assistance. The Board or Program Director may request that the Attorney General assist with settlement negotiations when the citation recipient retains an attorney for assistance during the stipulated settlement negotiations.

8.3.8 Hearings. Hearings shall be conducted by an administrative law judge at the Office of Administrative Courts. The citation recipient may be represented at the hearing by counsel of his or her choosing. Hearings shall be conducted in accordance with the Administrative Procedure Act, Title 24, Article 4, C.R.S.

8.3.8.1 Board action. At the formal administrative hearing, the Board may pursue the maximum fine allowed by statute. At the formal administrative hearing, the Board may also pursue any other disciplinary sanctions such as revocation, suspension, or probation.

8.4 The following is the current fine schedule adopted by the Board pursuant to section 12-58-116.5(2), C.R.S.

Violation	Statutory/Rule Provision	1 st	2 nd	3 rd
Engaging in the business, trade, or calling of a residential plumber without a license	12-58-105(1) 12-58-110(1)(a) 12-58-110(1)(o)	\$150	\$375	Up to \$2,000 per day
Engaging in the business, trade or calling of a journeyman plumber without a license	12-58-105(1) 12-58-110(1)(a) 12-58-110(1)(o)	\$225	\$600	Up to \$2,000 per day
Engaging in the business, trade or calling of a master plumber without a license	12-58-105(1) 12-58-110(1)(a) 12-58-110(1)(o)	\$300	\$600	Up to \$2,000 per day
Failure of a plumbing contractor to register an apprentice	12-58-105(2)(b) 12-58-110(1)(a)	\$225	\$600	Up to \$2,000 per day
Failure of an apprentice to work under the supervision of a licensed plumber	12-58-117(1) 12-58-110(1)(a)	\$50	\$200	Up to \$2,000 per day
Employment of unlicensed personnel to perform plumbing work	12-58-110(1)(k) Rule 6.7	\$300	\$600	Up to \$2,000 per day
Operating as a plumbing contractor without obtaining registration from the Board	12-58-105(3) 12-58-110(1)(a)	\$750	\$1,500	Up to \$2,000 per day
Failure of a licensee to supervise a plumbing apprentice	12-58-110 (1)(i) 12-58-117 Rule 8.0	\$375	\$600	Up to \$2,000 per day
Supervision by a residential, journeyman, or master plumber of more than three apprentice plumbers at the same jobsite	12-58-117(1) 12-58-110(1)(a)	\$375	\$600	Up to \$2,000 per day
Failure of a licensed or registered individual working as a plumber to carry on his or her person the appropriate license, temporary work permit, or registration	12-58-110(1)(b) Rule 7.1	\$150	\$375	Up to \$2,000 per day
Failure to obtain a permit and/or failure to obtain an inspection	12-58-114.5(1) 12-58-110(1)(a)	\$375	\$900	Up to \$2,000 per day
Failure to remove a cause for disapproval of any plumbing installation within a reasonable time	12-58-110(1)(c)	\$450	\$900	Up to \$2,000 per day

Advertising by a licensee or registrant which is false or misleading	12-58-110(1)(g)	\$375	\$750	Up to \$2,000 per day
Deception, misrepresentation or fraud in obtaining or attempting to obtain a license	12-58-110(1)(h)	\$1,000	\$2,000	Up to \$2,000 per day
Violating other state law in connection with a construction project (<i>i.e.</i> , construction, safety, labor, health, worker's compensation insurance, or tax law)	12-58-105(3)			
12-58-110(1)(q)	\$375	\$750	Up to \$2,000 per day	
Other violations of Article 58 of Title 12, C.R.S. or any Board rule	12-58-110(1)	Up to \$1,000	Up to \$2,000	Up to \$2,000 per day

8.5 Compliance. Payment of a fine assessed from a citation does not relieve the receiver of the citation from correcting the situation, installation, statute or code violation noted in the citation.

9.0 DECLARATORY ORDERS

9.1 Board Petition. Any person may petition the Board for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provision or of any rule or order of the Board.

9.2 Board Ruling. The Board will determine, at its discretion and without notice to the petitioner, whether to rule upon any such petition. If the Board determines that it will not rule upon such a petition, the Board shall promptly notify the petitioner of its action and state the reasons for such action.

9.3 Determination to Rule. In determining whether to rule upon a petition filed pursuant to this rule, the Board will consider the following matters, among others:

9.3.1 Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provision or rule or order of the Board.

9.3.2 Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the Board or a court involving one or more of the petitioners.

9.3.3 Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter of investigation currently pending before the Board or a court but not involving any petitioner.

9.3.4 Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.

- 9.3.5** Whether the petitioner has some other adequate legal remedy, other than an action for declaratory relief pursuant to Rule 57, Colo. R. Civ. P., which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, rule or order in question.

9.4 Petition Requirements. Any petition filed pursuant to this rule shall set forth the following:

- A.** The name, e-mail address, and physical address of the petitioner and whether the petitioner is licensed pursuant to the organic act;
- B.** The statute, rule or order to which the petition relates;
- C.** A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner.

9.5 Procedure. If the Board determines that it will rule on the petition, the following procedures shall apply:

9.5.1 The Board may rule upon the petition based solely upon the facts presented in the petition. In such a case:

9.5.1.1 Any ruling of the Board will apply only to the extent of the facts presented in the petition and any amendment to the petition.

9.5.1.2 The Board may order the petitioner to file a written brief, memorandum or statement of position.

9.5.1.3 The Board may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.

9.5.1.4 The Board may dispose of the petition on the sole basis of the matters set forth in the petition.

9.5.1.5 The Board may request the petitioner to submit additional facts, in writing. In such event, such additional facts will be considered as an amendment to the petition.

9.5.1.6 The Board may take administrative notice of facts, pursuant to the Administrative Procedure Act, section 24-4-105(8), C.R.S., and may utilize its experience, technical competence and specialized knowledge in the disposition. If the Board rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.

9.5.2 The Board may, at its discretion, set the petition for hearing upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting such hearing shall set forth, to the extent known, the factual or other matters into which the Board intends to inquire. For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Board to consider.

9.6 Parties. The parties to any proceeding pursuant to this rule shall be the Board and the petitioner. Any other person may seek leave of the Board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Board. A petition to intervene shall set forth the same matters as required by section 4 of this rule. Any reference to a “petitioner” in this rule also refers to any person who has been granted leave to intervene by the Board.

9.7 Order. Any declaratory order or other order disposing of a petition pursuant to this rule shall constitute agency action subject to judicial review pursuant to section 24-4-106, C.R.S.

10.0 STATE PLUMBING INSPECTORS

10.1 Applicant. All applicants for the position of state plumbing inspector must possess a current journeyman or master plumber license issued by the State of Colorado.

10.2 Plumbing License. Plumbing inspectors must maintain a current Colorado journeyman or master plumbing license.

Editor’s Notes

History

Entire rule eff. 01/01/2008.

Entire rule eff. 04/01/2010.

Rules 2.3.A, 2.4.1 – 2.4.2, 6.4 eff. 09/01/2011.

Entire rule eff. 03/15/2014.

Rules 2.3, 3.1 eff. 12/15/2014.