

Illinois Department of Public Health



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Amendment of the Illinois Plumbing Code



- 77 IL Admin Code 890 amended April 24, 2014
 - Supersedes all previous versions of the Code or local ordinances
 - Establishes the latest set of standards for plumbing in Illinois
 - Adoption of the new Code in accordance with IL Administrative Procedures Act and JCAR.

Legal Review



- 225 ILCS 320 Plumbing Licensing Law
 - Section 42. Home rule. Pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970 the power to regulate the licensing of plumbers, to promulgate a minimum plumbing code of standards, and to regulate the registration of irrigation contractors and plumbing contractors shall, except as may otherwise be provided within and pursuant to the provisions of Section 16 and Section 16.1 of this Act, be exercised by the State and may not be exercised by any unit of local government, including home rule units.
 - This provision dates back to the 83rd General Assembly (1983-84)

Legal Review



- 225 ILCS 320 Plumbing Licensing Law
 - Section 16. Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act...Upon the enactment of such ordinance the provisions of this act shall not apply within any such municipality except as otherwise provided herein.
 - Currently only applies to Chicago
 - Must demonstrate the ordinance is “substantially the same”
 - Counties are not municipalities (See IL Constitution Article VII, Section 1)

Department Approval of Ordinances



- 68 Il Admin Code 750 Plumbers Licensing Code
 - Section 800 b). If a governmental unit adopts ordinances that are more stringent than the Illinois Plumbing Code, a copy of such ordinance or rule, including all amendments, shall be submitted to the Department for review. If such plan is approved by the Department, the ordinance shall prevail in lieu of the Illinois Plumbing Code. The Department shall issue written approval.

Department Approval of Ordinances



- 68 IL Admin Code 750
 - Section 800 d). Governmental Units Establishing Plumbing Programs. Not less than once every three years, the Department shall evaluate each plumbing program operated by a governmental unit to determine whether that program is being operated under a rule or ordinance adopted in compliance with this Section.

Ordinance Approval Process



- Complete the form and follow instructions provided.

Ordinance Approval Process



Illinois Department of Public Health Draft Ordinance Submittal Form

Part I

Organization Name _____
Street address _____
City, State and ZIP _____
Contact person _____
Phone _____
Email _____

N/A- Submitter certifies that 77 IL Admin Code 890 is proposed to be adopted by reference without modification, exception or additions by the submitting unit of local government.

**If marked N/A, do not complete Part II of this form

Part II

Proposed Ordinance Language	Purpose	Justification

Date reviewed: _____

Tentatively approved Denied in part (see IDPH response) Rejected

Prohibited Activities



- 225 ILCS 320 Section 42. Preempts home rule and provides that units of local government shall not:
 - License Plumbers
 - Register Plumbing Contractors
 - Register Irrigation Contractors
 - Promulgate a Minimum Plumbing Code of Standards
 - Require Bonds Directly Relating to the Performance of Plumbing

Going Forward



- Provide support to units of local government through IDPH plumbing inspectors, regional supervisors and Central Office staff.
- Encourage expedient submission to IDPH ordinance approval process.

Plumbing Inspector Responsibility



- 68 IAC 750.700 The purpose of this Subpart is to promote effective and uniform enforcement of the Illinois Plumbing Code through State certification of plumbing inspectors.
- The Department of Public Health has been granted authority over certification of plumbing inspectors, and suspension and revocation of certification.
- All governmental units exercising jurisdiction over the construction and inspection of dwellings, pursuant to the Illinois Plumbing Code, may provide for inspection performed by plumbing inspectors certified under this Section.

Plumbing Inspector Responsibility



- 68 IAC 750.730 Responsibilities of Certified Plumbing Inspectors
 - Any plumbing inspector certified pursuant to this Part may inspect any private or public property for the purpose of investigating conditions relating to the enforcement of the Illinois Plumbing Code and the Illinois Plumbing License Law.
 - Grounds for licensure action against a certified plumbing inspector
 - willfully violating any State law or rule, or any municipal or county ordinance or regulation, relating to uncertified or certified plumbing inspections;
 - violating any provision of the Illinois Plumbing License Law, this Part, the Illinois Plumbing Code, or any county or municipal plumbing laws or ordinances;

Plumbing Inspection



- 68 IL Admin Code 710 requires plumbing inspectors to be certified by IDPH
- **Section 750.710 Certification of Plumbing Inspectors**
 - All persons who inspect plumbing in the State shall meet the minimum requirements for certification established in this Part. No person shall inspect plumbing in the State without first obtaining certification from the Department. Licensed plumbers providing plumbing inspection services to a unit of local government authorized under the Plumbing Licensing Law may continue for a period of not more than six months from October 1, 2014 to provide inspection service, after which the certification requirements of this Part shall apply.

Plumbing Inspector Violations



- **68 IAC 750.910** The Department may take disciplinary action against a certified plumbing inspector for violations of the Act, this Part or the Illinois Plumbing Code. Pursuant to Section 20 of the Act, such action may include revocation, suspension, or denial of a plumbing license or plumbing inspector's certificate issued by the Department;
- A violation, for the purposes of this Section, shall be considered to mean a finding of violation of a Section of the Act, or this Part, or the Illinois Plumbing Code

Obtaining Forms and Instructions



Email a request to: dph.plumbing@illinois.gov