

Allegheny County Council

*County of Allegheny
436 Grant Street
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Meeting Minutes

Wednesday, October 3, 2018

4:00 PM

Conference Room I

Committee on Health & Human Services

*John Palmiere, Chair; Patrick Catena, Nick Futules, Cindy Kirk, Paul Klein, Bob Macey
and Sue Means, Members*

I. Call to Order

The meeting was called to order at 4:08.

Invited Guests:

William D. McKain, CPA, Allegheny County Manager or designee(s)
Dr. Karen Hacker, Director, Allegheny County Health Department

Mr. McKain was present from the Office of the County Manager.

Dr. Hacker, Mr. Parker and Mr. Miller were present from the Health Department.

Mr. Barker was present from the Office of County Council.

II. Roll Call

Members Present: 3 - Cindy Kirk, Sue Means and John Palmiere

Members Absent: 4 - Patrick Catena, Nick Futules, Paul Klein and Bob Macey

Members 4 - Tom Baker, Anita Prizio, Sam DeMarco and DeWitt Walton
Non-Members:

III. Approval of Minutes

IV. Agenda Items

Ordinances

[10756-18](#)

An Ordinance of the Council of the County of Allegheny ratifying amendments to the Allegheny County Health Department's Rules and Regulations, Article XV, "Plumbing and Building Drainage".

Sponsors: Chief Executive

At the request of the Chair, the clerk read the title of the bill and Mr. Parker summarized the proposed alterations to the plumbing regulations, noting that the County's code has not been amended since 2009 and that the proposed amendments are to bring the County's code up to the 2015 national standards. Mr. Parker noted that the Plumbing Advisory Board has reviewed the proposed changes and endorsed them.

Mr. Parker reviewed the principal changes individually, summarizing the alterations to record retention, appeal time limitations, definitions, restroom fixture requirements, drain size requirements, lead water supply lines, and lead content requirements for plumbing materials. Mr. Parker quickly summarized other technical alterations, described the notice and comment process, and gave a brief overview of the comments that were received.

Mr. Parker discussed the reasoning behind treating plumbing regulations as health regulations, rather than construction regulations, noting the potential health risks attending faulty or substandard plumbing. Mr. Parker briefly discussed the County's plumbing code within the context of the Commonwealth's plumbing code.

Mr. Parker discussed the Department's thought process regarding the proposed lead service line replacement requirement.

In response to a question from the Chair, Mr. Parker noted that the issues surrounding lead content in drinking water in Flint, MI related to regulation of public water supplies, rather than plumbing.

Mr. Parker discussed the proposed requirement for master plumbers to undertake site work (e.g. plumbing from the water supply to a particular building, rather than within the building). Dr. Hacker noted that digging and grading may be done by anyone, but the master plumber requirement applies to the process of actually fitting piping and the like.

Mr. Parker reviewed the comments regarding restroom fixture requirements, noting that the County regulations must be at least as stringent as the Commonwealth's requirements.

Mr. Parker reviewed the definitional changes that would be made, permitting for minor repairs,

In response to a question from Ms. Kirk, Mr. Miller indicated that plumbers can fill out an informal permit request online for things like restroom fixture requirements, but that homeowners must apply in person. Mr. Parker noted that the online permitting capability just began in April of 2018, and Mr. McKain noted that the expansion of the online permitting system to owner/occupants is likely a good suggestion.

In response to a question from Mr. DeMarco, Mr. McKain offered to research how prevalent prosecutions of landlords for installing substandard plumbing systems are.

Mr. Parker noted that a provision for informal emergency repairs has been included in the proposed revisions based upon a comment, and he and Dr. Hacker discussed the Department's reasoning for retaining more stringent requirements for hot water mixing valve replacements. Mr. Walton and Mr. DeMarco discussed the general characteristics of mixing valves.

Mr. Parker described the comments received regarding penalties, noting that the Department agrees in principle with the notion that a homeowner who relies upon a plumber should not be subject to penalties, but noted that the determination of reliance is fact-specific.

Ms. Kirk, Mr. DeMarco, and Mr. Parker discussed the penalty provisions, with Mr. Parker noting that the jail terms specified in the regulation are mandated by Commonwealth law.

Ms. Means indicated a desire to hold the bill in committee for additional discussion, because she had a number of questions that likely could not be addressed in the remaining time for the Committee's session. Mr. McKain asked that the Committee make him aware of the concerns in advance of the next meeting in order to enable more efficient proceedings. The Chair expressed support for this request.

Ms. Means indicated that it does not appear that the remainder of the Commonwealth has similar penalty provisions, precisely because they do not regulate plumbing as a health regulation.

Dr. Hacker suggested delineating concerns as relating to the existing plumbing code or the proposed changes.

A motion was made by Means, seconded by Kirk, that this matter be Held in Committee. The motion carried by a unanimous vote.

V. Adjournment

The meeting was adjourned at 4:46.