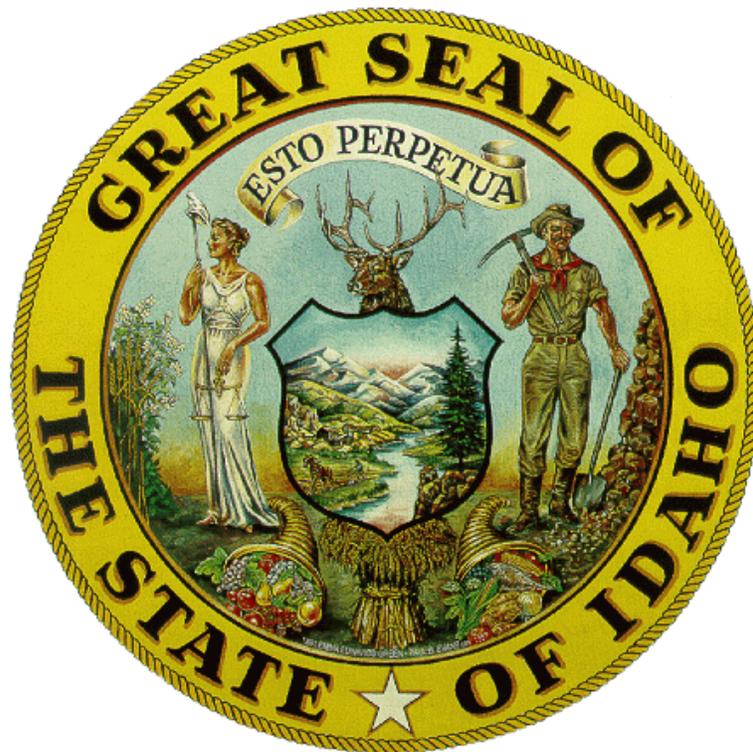


DIVISION OF BUILDING SAFETY

IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING

FEBRUARY 28, 2013



# IDAHO PLUMBING BOARD

## Agenda Item No. 01

## Agenda

**PRESENTER:** Milford Terrell, Chairman

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**OBJECTIVE:** Approve agenda for the February 28, 2013 Idaho Plumbing Board videoconference meeting.

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**ACTION:** Consent

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**BACKGROUND:**

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** February 28, 2013 Idaho Plumbing Board meeting tentative agenda

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## **TENTATIVE AGENDA**

### **NOTICE OF PUBLIC MEETING**

#### ***IDAHO PLUMBING BOARD VIDEOCONFERENCE MEETING***

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian, Idaho  
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho  
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho  
dbs.idaho.gov – (208) 332-7137**

***Thursday, February 28, 2013  
9:30 a.m. – 3:30 p.m. (MT)***

**(Note: Meeting commences at 8:30 a.m. PT)**

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- 9:30 a.m. CALL TO ORDER** – Milford Terrell, Chairman
- Roll Call & Introductions
  - Open Forum
    - City and County Concerns

#### **CONSENT AGENDA**

1. Approval of the February 28, 2013 Agenda
2. Approval of the October 25, 2012 Board Meeting Minutes

#### **ACTION AGENDA**

3. **Administrative Appeals Hearing – John Nielsen**
  - a. **First Street Plbg. & Htg., Inc. – NOV PLB12-0019**
4. **Continuing Education Unit (CEU) – John Nielsen**

#### **INFORMATIONAL AGENDA**

5. **Unlicensed Companies Advertising for Plumbing Services – Kenny Calkins, Treasure Valley Master Plumbers Association**
6. **Apprenticeship (David Davidson) – John Nielsen**
7. **SureSeal (Update) – John Nielsen**
8. **Tentative Interim Amendments (TIAs) – John Nielsen**

9. Renting of Contractor License – John Nielsen

10. Witnessing Pressure Testing on Plumbing Systems – Matt Gardner

**12:00 p.m. - LUNCH BREAK** (*If needed*)

**1:00 p.m.**

11. Plumbing Program Manager Report – John Nielsen

12. Operational Report – Steve Keys

13. Administrator Report

a. Financial Report – C. Kelly Pearce and Kathleen Watkins

b. Administrator – C. Kelly Pearce

**3:30 p.m. ADJOURN**

All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on Board preference. 01/30/13r

# IDAHO PLUMBING BOARD

**Agenda Item No. 02**

**Minutes**

**PRESENTER:** Milford Terrell, Chairman

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**OBJECTIVE:** Approve minutes from the October 25, 2012 Idaho Plumbing Board videoconference meeting.

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**ACTION:** Consent

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**BACKGROUND:**

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** Draft minutes – October 25, 2012 Idaho Plumbing Board meeting

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**IDAHO PLUMBING BOARD  
VIDEOCONFERENCE MEETING**

**Thursday – October 25, 2012 – 9:30 a.m. (MT)**

**Division of Building Safety  
1090 East Watertower Street, Suite 150, Meridian, Idaho  
1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho  
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho**

**\*DRAFT MINUTES OF THE OCTOBER 25, 2012 MEETING**

*NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting,  
but is intended to record the significant features of those discussions.*

Acting Chairman Dan Long called the meeting to order at 9:30 a.m. (MT).

**Board Members Present:**

Dan Long, Vice-Chairman  
Gilbert Pond  
Matt Gardner  
Debbie Oberhofer

**DBS Staff Members Present:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Ron Whitney, Deputy Administrator, Administration  
Patrick Grace, Deputy Attorney General  
John Nielsen, Plumbing Program Manager  
Rod Freligh, Regional Manager, Region 1  
Chris Jensen, Regional Manager, Region 3  
Terry Blessing, Regional Supervisor, Region 1  
Adam Bowcutt, Regional Supervisor, Region 3  
Kathleen Watkins, Financial Manager  
Bill Hatch, Public Information Officer  
Renee Bryant, Administrative Assistant 2/Board Secretary

**Board Members Absent:**

Milford Terrell, Chairman

In the absence of Chairman Milford Terrell, Vice-Chairman Dan Long served as acting chairman at this meeting.

◆ **Open Forum**

Training and Backflow Manuals – Pete Crow, International Association of Plumbing and Mechanical Officials (IAPMO), mentioned the *Backflow Prevention Reference Manual 2nd Edition* and *IAPMO Training Catalog* are available.

Continuing Education – Kenny Calkins, Treasure Valley Master Plumbers Association (TVMPA), stated the association will move forward with the establishment of continuing education training specific to contractors.

Horizontal Wet Venting – On behalf of Bob Rawlings, John Nielsen asked the Board to consider the removal of section 908.2 *Horizontal Wet Venting for Bathroom Groups* in its entirety from the Idaho State Plumbing Code (ISPC). Matt Gardner was in agreement.

The topic *Horizontal Wet Venting* correlates with agenda item five *Tentative Interim Amendments (TIAs)*.

◆ **City and County Concerns**

No items or concerns were brought forth.

◆ **Approval of October 25, 2012 Agenda**

**MOTION:** Gilbert Pond made a motion to approve the agenda as presented. Debbie Oberhofer seconded. All in favor, motion carried.

◆ **Approval of July 26, 2012 Minutes**

**MOTION:** Gilbert Pond made a motion to approve the minutes as written. Matt Gardner seconded. All in favor, motion carried.

◆ **Schedule 2013 Meeting Dates**

The 2013 Idaho Plumbing Board meeting dates are as follows: February 28th, May 23rd, July 25th, and October 24th. The meetings will commence at 9:30 a.m. (MT)/8:30 a.m. (PT).

**MOTION:** Debbie Oberhofer made a motion to accept the 2013 Idaho Plumbing Board meeting dates as presented. Gilbert Pond seconded. All in favor, motion carried.

◆ **Fuel and Hydronic Piping Permits**

This topic was addressed at the July 2012 meeting. Russ Goyen, Chief Plumbing and Mechanical Inspector for the city of Idaho Falls and Idaho Association of Building Officials (IDABO) representative, reiterated the association fully supports the proposed legislative change to Idaho Title 54 Chapter 50 that will allow licensed plumbing contractors to install fuel and hydronic piping.

IDABO suggested the Board, through DBS policy, clarify to contractors that such permits will consistently be obtained as HVAC permits from the authority having jurisdiction.

◆ **Tentative Interim Amendments (TIAs)**

In August 2012, the IAPMO Standards Council issued Tentative Interim Amendments (TIAs). The suggested amendments would revise and/or add new language to chapters two and nine of the 2012 and 2009 Uniform Plumbing Code (UPC), respectively.

Idaho uses the ISPC, not the UPC. Should the Board choose to go with the recommendation of the TIAs; it would need to go through the negotiated rulemaking process. Currently, horizontal wet venting is an alternate method that can be used in Idaho.

Dan Long provided a brief description of a TIA and Patrick Grace addressed the negotiated rulemaking process. Mr. Long requested the topic *Tentative Interim Amendments (TIAs)* be addressed at the February 2013 meeting as an informational item.

**ACTION:** The topic *Tentative Interim Amendments (TIAs)* will be placed on the February 28, 2013 agenda as an informational item.

◆ **Cross-Connection Devices**

A discussion ensued as to the extent backflow devices and relief valves fail and the repercussions.

Due to drainage issues, manufacturers have developed alarms for relief valves that are wired into fire systems or burglar alarm systems.

John Nielsen reiterated the *Backflow Prevention Reference Manual 2nd Edition* is available through IAPMO. Also, the American Water Works Association has a backflow prevention manual.

◆ **Plumbing Program Manager Report**

Suspension of Contractor License – By statute, the Board makes a recommendation to the Division before it initiates proceedings regarding any suspension or revocation of a certificate of competency. John Nielsen sought the recommendation of the Board as it related to a particular contractor whom the Division alleges has failed to pay permit fees. Upon the Board’s recommendation, the Division would then determine whether to proceed with suspension or revocation through legal proceedings.

**MOTION:** Debbie Oberhofer made a motion for the Division to proceed with the suspension of the plumbing contractor license. Gilbert Pond seconded. All in favor, motion carried.

**ACTION:** The Division will move forward with determining whether to initiate proceedings to suspend the contractor’s license.

Informal Policy – A licensed plumbing contractor is the responsible individual authorized to represent a company and purchase permits. Technically, when a contractor passes away the company is immediately out of business. For ease of loss, the Division is working on an internal policy that would allow DBS to work with representatives of the company to reestablish the business and/or complete current jobs in a timely manner.

License/Permit Holder – Currently, there is a mixture of company and licensee names in the Division’s system with regard to plumbing contractors. Upon completion of the clean-up of the system, correspondence from DBS will be in the licensee’s name only. It was suggested signatures on permits be limited to the contractor and two associates of the company.

Continuing Education Unit (CEU) – Milford Terrell and Steve Keys authorized John Nielsen to move forward with CEU approvals. The proposed continuing education rule, originally submitted at the 2012 legislature, has been modified to require code update courses be a minimum of two hours and industry-related courses be at least one hour. CEU providers will provide DBS contact information to licensees in lieu of evaluation cards.

Colleges with apprenticeship programs can begin to submit course applications for approval to DBS. Mr. Nielsen will post approved courses to the Division’s website. January 1, 2014 will be the official date in which CEU’s will be required to renew licenses.

As an option, the Division has created a CEU test, in place of the code update requirement, that will be available January 1, 2013.

**ACTION:** The topic *Continuing Education Unit (CEU)* will be placed on the February 28, 2013 agenda as an action item.

**ACTION:** John Nielsen will provide a copy of the CEU proposal to the Board.

IAPMO Report – In September 2012, John Nielsen attended IAPMO's 83rd Annual Education and Business Conference in Hollywood, Florida. Training consisted of: 2012 UPC alternate water source systems (chapter 16); rainwater harvesting (chapter 17); solar water heating systems; scald awareness and prevention; and Uniform Mechanical Code classes covering fire dampers and appliance access/protection.

◆ **Operational Report**

Issuance of Permits – The HVAC and Electrical programs are up 11% year-to-date on the issuance of permits. The Plumbing program is up by 5.5% year-to-date. A year ago approximately 58% of permits were issued via internet; this year permits issued through the web is at 62%.

Water Softener Loop Legislation – Correspondence between Steve Keys and Bruce Van Camp of Culligan, and Idaho Water Technologies & Adobe Enterprises, with regard to legislation on water softener loops, was distributed.

Grease Interceptors – The Oregon Building Codes Division is working on new clarification relative to grease interceptors, standards, and enforcement. Essentially, the building code and plumbing code officials have agreed building officials will be responsible for making the determination on what the requirements are on grease interceptors.

Cross-Referencing Permits – Effective November 12, 2012, DBS will only process cross-reference permits under the following conditions: 1) Multi-family projects where there is a parent permit for the project and individual units cross-referenced to allow finals on those units, or 2) Event of a death of a licensed plumbing or HVAC contractor.

Refunding Permits – Effective November 12, 2012, the Division will only issue a refund if: 1) Overpayment, 2) Duplicate permit, or 3) Job not in the state's jurisdiction.

◆ **Administrator Report**

Financial Report – Kathleen Watkins reviewed the Idaho Plumbing Board Fund, FY 2012 financial statement as of June 30, 2012, and FY 2013 financial statement as of August 31, 2012.

Testing – Effective November 5, 2012, the Division will begin to accept applications for the plumbing contractor license. The Division's Pocatello and Coeur d'Alene offices have two stations and the Meridian office has four stations for testing. The exam is four hours and open book.

Changes in Workforce – A PowerPoint presentation titled *Changes in Workforce* was presented by Kelly Pearce. The presentation consisted of charts comparing the average number of employees working in residential and commercial construction, as registered with the Idaho Department of Labor (2007-2012); DBS budget-personnel reduction (2007-2012); and expenditures to appropriations (2005-2012).

Statutory Mandate--State Buildings – As mandated by statute, in July 2011, the Division began the plan review, permitting, and inspection processes of state building construction throughout the state of Idaho.

Creative Revenue Enhancement FY 2012 – Kelly Pearce gave a PowerPoint presentation titled *Creative Revenue Enhancement FY 2012*. The presentation consisted of: Energy training, HVAC; energy efficiency compliance database, Governor’s Office of Energy Resources; energy efficiency study, Penn State University; building and plan review fees/inspections, cities of Ketchum and Hailey; electrical and mechanical inspections, city of Meridian; electrical inspections, as needed, city of Twin Falls; inspections, Coeur d’Alene, Nez Perce, Shoban, and Kootenai Tribes; and permit/inspection revenue, state buildings.

Construction Projects – Following are future or existing projects throughout Idaho: New Marriott hotel, Coeur d’Alene; expansion/rebuilding of Simplot plant facility, Caldwell; new residential/commercial units, Meridian; new Chobani Yogurt plant, Twin Falls; and new Melaleuca operational plant and headquarters, Idaho Falls.

◆ **Adjournment**

Acting Chairman Dan Long adjourned the meeting at 12:07 p.m. (MT).

\_\_\_\_\_  
DAN LONG, ACTING CHAIRMAN  
IDAHO PLUMBING BOARD

\_\_\_\_\_  
C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\*These DRAFT minutes are subject to possible correction and final approval by the Idaho Plumbing Board. 11/15/12rb

# IDAHO PLUMBING BOARD

## Agenda Item No. 03a      First Street Plbg. & Htg., Inc. – NOV PLB12-0019

**PRESENTER:**      John Nielsen, Plumbing Program Manager

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**OBJECTIVE:**      Administer a ruling on First Street Plbg. & Htg., Inc.’s appeal –  
NOV PLB12-0019

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**ACTION:**      Affirm, reject, decrease or increase the imposed penalties

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**BACKGROUND:**      The Notice of Violation (NOV) was issued based upon a proposed  
violation to IDAPA 07.02.07.011.06 “Corrections”.

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### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:**      Documentation from Ron Summers, First Street Plbg. & Htg., Inc., and  
the Division of Building Safety

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# IDAHO PLUMBING BOARD

## Agenda Item No. 04

## Continuing Education Unit (CEU)

**PRESENTER:** John Nielsen, Plumbing Program Manager

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**OBJECTIVE:** Modify the rule

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**ACTION:** Vote to accept, reject, or modify the proposed rule change.

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**BACKGROUND:** Milford Terrell and Steve Keys authorized John Nielsen to move forward with CEU approvals. The proposed continuing education rule, originally submitted at the 2012 legislature, has been modified to require code update courses be a minimum of two (2) hours and industry-related courses be at least one (1) hour

Mr. Nielsen will post approved courses to the Division's website. January 1, 2014, will be the official date on which CEU's will be required to renew licenses.

As an option, the Division has created a CEU test, in place of the code update requirement, that will be available January 1, 2013.

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**ATTACHMENTS:** CEU provider criteria

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**Course Approval Requirements**

Continuing education courses for plumbers must cover technical aspects of the plumbing trade. Courses related to management, supervision, business practices, personal computer skills or first aid, will not be approved. Courses will be approved as either code update or industry related based on the criteria as defined in this section.

**General Course Requirements**

1. Code update courses must be at least two (2) hours in length.
2. Industry related courses must be at least one (1) hour in length.
3. Courses must be taught by an instructor approved by the Division.
4. The presentation should be delivered orally and supplemented with appropriate visual media. Pre-taped video or audio shall be held to a minimum.
5. All programs are subject to audit by representatives of the Division or the Idaho Plumbing Board for content and quality without notice and at no charge. Course and instructor approval are subject to revocation if the minimum requirements of course content or instructor qualification are not maintained.
6. Credit will not be given to a licensee who attended a course prior to that course being approved by the Division.

**Code Update Programs**

Code update programs must cover changes to the Idaho State Plumbing Code or the Uniform Plumbing Code.

Industry Related Programs. Industry related programs shall be technical in nature and directly related to the plumbing industry.

**Program Approval Procedures**

1. Program approvals shall be effective for one (1) code cycle. Subsequent applications for the same program may incorporate by reference all or part of the original application.
2. An application for course approval may be obtained from the Division of Building Safety, 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642, or via the internet at [dbs.idaho.gov](http://dbs.idaho.gov).

**The application shall include:**

1. The title and general description of the program
2. The name of the sponsor as it will appear on the completion certificate
3. The address and contact person for the sponsor
4. The names of the instructors and dates of approval by the Division of Building Safety or completed applications for the instructors
5. The hours of instruction to be presented – correspondence or on-line computer-based courses must provide a minimum of twenty (20) questions to be answered by the student for each hour of credit requested for approval. For example four (4) hours of credit would require eighty (80) questions; eight (8) hours of credit would require one hundred and sixty (160) questions
6. An outline of the program
7. The cost of the program to the participant
8. A schedule of classes, including locations, dates and times
9. A list or sample of materials to be used in the program
10. A copy of the quiz to be given to participants, if applicable
11. A copy of the completion certificate

**Certificates of Completion**

Certificates of completion must include the following:

1. The date of the program
2. The title of the program
3. The location of the program
4. The name of the sponsor
5. The number of hours of credit completed
6. The name of the attendee
7. The license number(s) of the attendee

8. The name of the instructor
9. The Idaho course approval number

**Instructor Approval Procedures**

Instructor approvals shall be effective for one (1) code cycle. Applications for instructor approval may be obtained from the Division of Building Safety, 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642, or via the internet at [dbs.idaho.gov](http://dbs.idaho.gov). The minimum qualification for an instructor shall be established by providing proof of one of the following which shall be documented and submitted with the instructor's application:

1. Current and active Idaho contractor or journeyman plumber license.
2. An appropriate degree related to the plumbing profession.
3. Other recognized experience or certification in the subject matter to be presented.

**Revocation of Approval**

The Division may revoke, suspend, or cancel the approval of any instructor if the Division determines that the instructor does not meet the intent of furthering the education of plumbers. Grounds for revocation of approval shall include, but not be limited to:

1. Failure of the instructor to substantially follow the approved course materials.
2. Failure to deliver instruction for the full amount of time approved for the course.
3. Substantial dissatisfaction with the instructor's presentation by class attendees or representatives of the Division or the Idaho Plumbing Board.

**Appeals**

Appeals for courses or instructors denied approval or where approval has been revoked for cause shall be in writing and shall be presented to the Idaho Plumbing Board within thirty (30) days of the denial of the application. Decision of the board on the appeal shall be final. Any further appeal shall be to the district court as provided by the Idaho Administrative Procedures Act as an appeal for a final agency action in a contested case proceeding.

**Requirements for Credit**

In order for a licensee to receive credit for attending a class, the following requirements must be met:

1. The class must have prior approval by the Division or a state that is reciprocal with Idaho for continuing education.
2. The instructors must be approved as instructors for the specific program.
3. The licensee must submit a copy of the certificate of completion to the Division.
4. The course provider must provide a roster of attendees to include the name, license number(s), and the number of hours to be credited.

**Schedule of Approved Classes**

The Division of Building Safety shall publish a list of approved classes at least once a year. The list shall be forwarded to all states that are members of a continuing education reciprocal agreement and shall be made available to any licensee on the agency's website.

**Required Information**

The instructor must provide the attendees with the following information:

1. Division of Building Safety Address.  
  
1090 East Watertower Street, Suite 150  
Meridian, ID 83642
2. Division of Building Safety website.  
  
Dbs.idaho.gov
3. Plumbing Program Manager Contact Information.  
  
[john.nielsen@dbs.idaho.gov](mailto:john.nielsen@dbs.idaho.gov)  
(208)332-7112

# IDAHO PLUMBING BOARD

## Agenda Item No. 05    Unlicensed Companies Advertising for Plumbing Services

**PRESENTER:**            Kenny Calkins, Treasure Valley Master Plumbers Association

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**OBJECTIVE:**            To work with the Board and DBS to put a stop to the unlicensed contractors advertising to do plumbing working.

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**ACTION:**                Informational

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**BACKGROUND:**        Everywhere we look we see contractors advertising they do plumbing work. Our members have asked that as an association we work with the Board and DBS to help with the enforcement of the existing laws.

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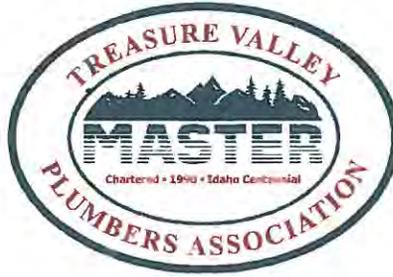
### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:**      Correspondence from TVMPA President, concerned members, Bureau of Occupational Licenses and examples of unlicensed contractors advertising.

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February 4<sup>th</sup> 2013

State Plumbing Board  
Attn: Chairman Terrell and Members of the Board

Thank you for taking your time to hear our concerns that we see way to often contractors advertising for plumbing work. This has been a major concern for our members who are not only licenced contractors they employ licenced journeymen. We not only see this all around the state but in the last month I've seen concerns that this is a problem across this nation. Also you will see that this too is a concern with our HVAC board also. The documents are as follows

- What the laws says about advertising
- Letter to member from the Bureau of Occupational Licenses
- Email DBS and TVMPA member about advertisement and example of advertisement
- Example of advertisement on truck
- Four examples of un-licenced contractors advertising on Craigslist posted 2-4-13
- Two examples of licenced contractors advertising on Craigslist posted 2-4-13
- Agenda item from the state HVAC Board meeting 2-13-13

Again we would like to see the Board and the DBS help put a stop to this illegal activity.

Kenny Calkins  
President TVMPA

**IDAPA 07  
TITLE 02  
CHAPTER 05**

**07.02.05 - RULES GOVERNING PLUMBING SAFETY LICENSING**

***IDAHO ADMINISTRATIVE CODE  
Division of Building Safety***

***IDAPA 07.02.05  
Rules Governing Plumbing Safety Licensing***

**07. Advertising.** Any person or entity advertising to engage in the business, trade, practice, or work of a plumbing contractor as defined in Section 54-2611, Idaho Code, who does not possess a current and valid plumbing contractor certificate of competency issued by the Division of Building Safety, shall be in violation of the licensing provisions of Title 54, Chapter 26, Idaho Code. Such conduct is punishable as a misdemeanor as prescribed by Section 54-2628, Idaho Code, and subject to civil penalties in accordance with IDAPA 07.02.07, "Rules Governing Civil Penalties," Section 011. (5-8-09)

**a.** For the purposes of this Section, advertising shall include, but not be limited to: newspaper, telephone directory, community flier ads or notices; telephone, television, radio, internet, or door-to-door solicitations. (5-8-09)

**b.** Any advertising, as defined in Subsection 013.07 of these rules, conducted by those persons or entities with a valid certificate of competency shall include the contractor certificate of competency number. (5-8-09)



# STATE OF IDAHO

BUREAU OF OCCUPATIONAL LICENSES – INVESTIGATIVE UNIT

June 27, 2011

Sent via Email to: [nick@drakemech.com](mailto:nick@drakemech.com)

NICK DRAKE  
5551 W GOWEN RD  
BOISE ID 83709

Mailing Address:  
PO Box 83720  
Boise, ID 83720-0063

Office Location:  
700 W State Street  
Boise, ID 83702

Phone: (208) 334-3233  
Fax: (208) 334-3406  
E-Mail: [inv@ibol.idaho.gov](mailto:inv@ibol.idaho.gov)  
Website: [www.ibol.idaho.gov](http://www.ibol.idaho.gov)

Re: Complaint

Dear Mr. Drake:

The Bureau of Occupational Licenses has received your complaint against Clint Rogers Handyman Concierge. The law permits the performance of contractor work up to a maximum of \$2,000 total cost (materials and labor) before registration is required. Without evidence Mr. Rogers is presently performing jobs in excess, the Board cannot take action.

As we discussed over the phone, the Division of Building Safety is responsible for the enforcement of laws and rules pertaining to the practice of electrical, plumbing, and HVAC. Their contact information is:

Division of Building Safety  
1090 E Watertower Street  
Meridian ID 83642  
(208) 334-3950  
<http://dbs.idaho.gov>

Sincerely,

A handwritten signature in black ink, appearing to read "Nita Metro".

Nita Metro  
Complaint Coordinator

## Kenny Calkins

---

**From:** Nick Drake [Nick@drakemech.com]  
**Sent:** Monday, July 11, 2011 1:58 PM  
**To:** Eddie Godsey; Rick Drake; Kenny Calkins; Marty Cullen; Cache Olson  
**Subject:** FW: handyman

**From:** Steve Keys [mailto:Steve.Keys@dbs.idaho.gov]  
**Sent:** Monday, July 11, 2011 1:48 PM  
**To:** Nick Drake  
**Cc:** Mike Davis  
**Subject:** RE: handyman

Nick,  
 I wanted to update you on the action that was taken by this agency relative to the original email you sent on June 23<sup>rd</sup>. First of all, DBS verified with the advertiser that they had placed the ad; we then explained the legal requirements restricting the ability to advertise to provide plumbing and/or electrical services. After determining that the advertiser was registered with the Idaho Bureau of Occupational Licenses as a contractor, and recognizing that the registered contractor routinely functions as a general contractor, we cautioned the contractor to restrict his plumbing and electrical advertising to stating that he uses licensed subcontractors to provide those services. Also, the advertiser agreed to modify his website and ads to remove any references to minor plumbing and electrical work – since verified by DBS. Predicated on the demonstrated cooperation on the part of the advertiser, he received a warning in lieu of a civil penalty, with the understanding that any further violations would be handled as a second violation. This would carry a maximum \$1000 fine. Thanks again for bringing this particular situation to our attention.

---

**From:** Nick Drake [mailto:Nick@drakemech.com]  
**Sent:** Thursday, June 23, 2011 3:17 PM  
**To:** John Nielsen; Al Caine; Ron Crouch; Kelly Pearce; Steve Keys  
**Cc:** Eddie Godsey; [OLSONC@CITYOFNAMPA.US](mailto:OLSONC@CITYOFNAMPA.US); [bvandegrift@cityofboise.org](mailto:bvandegrift@cityofboise.org); [dpoedy@cityofboise.org](mailto:dpoedy@cityofboise.org); [breichert@cityofboise.org](mailto:breichert@cityofboise.org); [dspivey@cityofboise.org](mailto:dspivey@cityofboise.org)  
**Subject:** handyman

To Whom It May Concern:

We just got this advertisement in the mail and I would like to say that it bothers me. I was always under the impression that it was illegal to advertise the trades of plumbing and electrical if you don't have a contractor's license for such. Please see attached coupon and flier. We all went to school for 4-5 years depending on when we trained, have taken tests, are licensed, bonded and insured and we have these handyman running around doing our work while at the same time we are expected to permit and get every bit of our work inspected. I looked on your website and did all the searches I can and cannot come up with any licenses for this individual or company, I then also called the Idaho Division of Building safety and inquired and the lady I talked to on the phone could find no record of a contractor's license either. I have also made a complaint to the Idaho Bureau of occupational licenses and she is going to look into it and will be making the same complaint to the city of Boise and Nampa. I would really like to see something done about all these unlicensed handymen that are out there taking our work, not doing it correctly, not pulling permits, and not getting

those jobs inspected while putting the homeowner and general public at risk due to public safety and health standards that are not being met. I appreciate your time.

**NICK DRAKE**

**ESTIMATOR/PROJECT MANAGER  
DRAKE MECHANICAL  
E MAIL: [NICK@DRAKEMECH.COM](mailto:NICK@DRAKEMECH.COM)  
WEB: [WWW.DRAKEMECHANICAL.COM](http://WWW.DRAKEMECHANICAL.COM)  
5551 W. GOWEN RD  
BOISE, ID  
83709  
PH: 208-362-6200  
FAX: 208-362-2806  
CELL: 208-866-0983**

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**HANDYMAN  
CONCIERGE**



**Buy 1 Hour of Professional  
Around-the-House  
Handyman Work  
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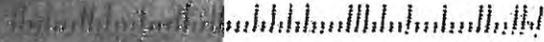
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## IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

**Agenda Item No. 04 Contractor Licensing Requirement for “Big Box” Vendors**

**PRESENTER:** Patrick Grace, Deputy Attorney General

---

**OBJECTIVE:** Endorsement by Board on letter to “big box” vendor.

---

**ACTION:** Approve or disapprove letter to retailer.

---

**BACKGROUND:** A local “big box” vendor has asked the state to provide a letter consenting to its business practice of contracting with licensed HVAC contractors to install equipment sold in its store.

For the February 13, 2013 meeting, Patrick Grace will provide a draft letter to a specific retail store explaining the Board’s decision with regard to the topic *Contractor Licensing Requirement for “Big Box” Vendors*.

The letter will incorporate the following: 1) Register with the Idaho Bureau of Occupational Licenses as a contractor, 2) Clearly differentiate a state licensed subcontractor, not the vendor, will provide the work and pull a permit; and, 3) The Board will continue to study the topic *Contractor Licensing Requirement for “Big Box” Vendors*. Should the policy change, the vendor will be given sufficient time to comply with the law.

---

**ATTACHMENTS:** Documentation to be presented at meeting.

---



# IDAHO PLUMBING BOARD

## Agenda Item No. 06

## Apprenticeship (David Davidson)

**PRESENTER:** John Nielsen, Plumbing Program Manager

---

**OBJECTIVE:** To prevent a possible issue with Mr. David Davidson's license.

---

**ACTION:** Informational

---

**BACKGROUND:** Mr. Davidson registered as a plumbing apprentice with the state on January 26, 2012. He previously had an Idaho apprentice license in April of 1999, which expired December of the same year.

Cache Olson, instructor at CWI, allowed Mr. Davidson to take 3rd year because he has worked as a plumber since 1999.

---

### **PROCEDURAL HISTORY:**

---

**ATTACHMENTS:** Registration information and correspondence between Mr. Davidson, Mr. Olson and Mr. Nielsen.

---



# IDAHO PLUMBING BOARD

**Agenda Item No. 07**

**SureSeal (Update)**

**PRESENTER:** John Nielsen, Plumbing Program Manager

---

**OBJECTIVE:** Provide findings on the mechanical trap sealers

---

**ACTION:** Informational

---

**BACKGROUND:** At the February 2012 Plumbing Board meeting, the Board authorized mechanical trap sealers, to include SureSeal®™ Inline Drain Trap Sealer, be used for testing purposes only, as an alternative to protect, not replace, existing trap systems which have failed or in remodeled construction. The devices were not to be used in new construction as a substitute for traditional plumbing trap/trap primer systems. Testing of the devices was limited to applications on actual job sites within the jurisdiction of DBS for a period of one year. At the conclusion, the Division was to compile its findings related to safety, effectiveness, efficiency, etc., of the devices and report back to the Board for future consideration.

---

**PROCEDURAL HISTORY:**

---

**ATTACHMENTS:** No documentation

---



# IDAHO PLUMBING BOARD

## Agenda Item No. 08

## Tentative Interim Amendments (TIAs)

**PRESENTER:** John Nielsen, Plumbing Program Manager

---

**OBJECTIVE:** Discuss the latest tentative interim amendment (TIA) sent out by the International Association of Plumbing and Mechanical Officials (IAPMO) with regard to horizontal wet venting.

---

**ACTION:** Informational

---

**BACKGROUND:** In August 2012, the IAPMO Standards Council issued Tentative Interim Amendments (TIAs). The suggested amendments would revise and/or add new language to chapters two and nine of the 2012 and 2009 Uniform Plumbing Code (UPC), respectively.

Idaho uses the ISPC, not the UPC. Should the Board choose to go with the recommendation of the TIAs; it would need to go through the negotiated rulemaking process. Currently, horizontal wet venting is an alternate method that can be used in Idaho.

Dan Long provided a brief description of a TIA and Patrick Grace addressed the negotiated rulemaking process. Mr. Long requested the topic *Tentative Interim Amendments (TIAs)* be addressed at the February 2013 meeting as an informational item.

---

**ATTACHMENTS:** TIA UPC-011-09

---



**FOR IMMEDIATE RELEASE**

**Contact:** Lynne Simnick  
(909) 472-4110  
lynne.simnick@iapmo.org

**IAPMO Standards Council Issues TIAs  
UPC-001-12 and UPC-011-09**

**Ontario, Calif. (Sept. 10, 2012)** — The IAPMO Standards Council on Aug. 29 issued Tentative Interim Amendments affecting the 2009 and 2012 editions of the *Uniform Plumbing Code*® (*UPC*).

TIAs UPC-001-12 and UPC-011-09 revise and/or add new language to Chapters 2 and 9 of the 2012 *UPC* and 2009 *UPC*, respectively, amending and adding new definitions to Chapter 2 and revising Section 908.2 Horizontal Wet Venting for a Bathroom Group in Chapter 9.

These TIAs identify specific requirements that must be met for the installation of horizontal wet venting. Specific requirements include:

- Limits installations to one bathroom group.
- Provisions are now applicable to both private and public use.
- Urinals may no longer be vented by a horizontal wet vent.

To examine TIAs UPC-001-12 and UPC-011-09 in their entirety, and/or any other TIAs affecting the *Uniform Codes*, please direct your Web browser to <http://www.iapmo.org/Pages/TIADecisions.aspx>.

TIAs are proposals based on the determination of an emergency nature requiring prompt action to amend code that contains an error or omission that was overlooked during the regular code development process, contains a conflict within the document or with another IAPMO document, or to correct a hazard, promote an advancement in safeguarding the public or provide an opportunity to correct an adverse impact on a product or method of installation.

###

*Sponsor of the Uniform Codes, IAPMO® – The International Association of Plumbing and Mechanical Officials – works in concert with government and industry for safe, sanitary plumbing and mechanical systems. Learn more about IAPMO at [www.iapmo.org](http://www.iapmo.org).*

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**International Association of Plumbing and Mechanical Officials**  
4755 East Philadelphia Street • Ontario, California - USA 91761-2816



August 29, 2012

Phil Ribbs  
PHR Consultants  
206 Cypress Park  
Santa Cruz, CA 95060

Re: IAPMO Standards Council Decision  
TIA UPC-011-09  
**Decision Date: August 23, 2012\*\***  
*2009 Uniform Plumbing Code - Sections 204.0, 206.0, 224.0, 908.2,  
908.2.1, 908.2.1.1, 908.2.1.2, 908.2.1.3, 908.2.1.4, and 908.2.1.5.*

Dear Mr. Ribbs:

I am transmitting to you herewith the following decision of the Standards Council.

At its teleconference meeting on August 23, 2012, the Standards Council considered your request for the issuance of proposed TIA UPC-011-09 in the 2009 edition of the *Uniform Plumbing Code*. The proposed Tentative Interim Amendment requested revisions and/or new language to Sections 204.0, 206.0, 224.0, 908.2, 908.2.1, 908.2.1.1, 908.2.1.2, 908.2.1.3, 908.2.1.4, and 908.2.1.5 as follows:

**204.0**

**Bathroom Group** – ~~A group of fixtures consisting of a~~ Any combination of fixtures, not to exceed one water closet, ~~one or two lavatories, and either a~~ one bathtub, ~~a or one~~ combination bath/shower, ~~or~~ and a one shower, and may include a ~~urinal or~~ bidet and an emergency floor drain.

**Bathroom** – A room equipped with a shower, bathtub, or combination bath/shower.

**206.0**

**Dry Vent** – A vent that does not receive the discharge of any sewage or waste.

**224.0**

**Vent Pipe** – See Vent; Dry Vent; Wet Vent.

**908.2 Horizontal Wet Venting for a Bathroom Groups.**

**908.2.1 Where Permitted.** ~~Water closets, bathtubs, showers and floor drains within one (1) or two (2) A bathroom groups located on the same floor level and for private use shall be permitted to be vented by a horizontal wet vent where all of the conditions of Section 908.2.1.1 through Section 908.2.1.5 are met. The wet vent shall be considered the vent for the fixtures and shall extend from the connection of the dry vent along the direction of the flow in the drain pipe to the most downstream fixture drain or trap arm connection to the horizontal branch drain. Each wet vented fixture drain or trap arm shall connect independently to the wet vented horizontal branch drain. Each individual fixture drain or trap arm shall connect horizontally to the wet vented horizontal branch drain or shall be provided with a dry vent. The trap to vent distance shall be in accordance with Table 10-1. Only the fixtures within the bathroom groups shall~~

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~~connect to the wet-vented horizontal branch drain. The water closet fixture drain or trap arm connection to the wet vent shall be downstream of any fixture drain or trap arm connections. Any additional fixtures shall discharge downstream of the wet vent system and be conventionally vented.~~

**908.2.21.1 Vent Connection.** The dry vent connection to the wet vent shall be an individual vent ~~or common vent for the lavatory, urinal, for the~~ bidet, shower, or bathtub. One or two vented lavatory(s) shall be permitted to serve as a wet vent for a bathroom group. Only one (1) wet-vented fixture drain or trap arm shall discharge upstream of the dry-vented fixture drain connection. All dry vent connections to the horizontal wet vent shall be in accordance with Section 905.2 and Section 905.3.

**908.2.31.2 Size.** The wet vent shall be sized based on the fixture unit discharge into the wet vent. The wet vent shall be not less than two (2) inches (50 mm) in diameter for four (4) dfu or less, and not less than three (3) inches (80 mm) in diameter for five (5) dfu or more. The dry vent shall be sized in accordance with Tables 7-3 and 7-5 based on the total fixtures units discharging into the wet vent.

**908.2.1.3 Trap Arm.** The length of the trap arm shall not exceed the limits in Table 10-1. The trap size shall be in accordance with Section 1003.3. The vent pipe opening from the horizontal wet vent, except for water closets and similar fixtures, shall not be below the weir of the trap.

**908.2.1.4 Water Closet.** The water closet fixture drain or trap arm connection to the wet vent shall be downstream of all fixture drain or trap arm connections to the horizontal wet vent.

**908.2.1.5 Additional Fixtures.** Additional fixtures shall discharge downstream of the wet vent system and be conventionally vented. Only the fixtures within the bathroom group shall connect to the wet-vented horizontal branch.

The proposed TIA was balloted through the Plumbing Technical Committee in accordance with the Regulations Governing Committee Projects, Section 5, to determine if there existed the necessary three-fourths majority support on technical merit and emergency nature to establish the recommendation for issuance. Although the ballot achieved the three-fourths majority support on technical merit, it fell short of the required vote for emergency nature.

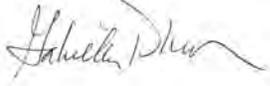
When considering an application for a TIA, the Standards Council accords great respect and deference to the IAPMO codes and standards development process. In conducting its review, the Council will overturn the result recommended through that process only where a clear and substantial basis for doing so is demonstrated. The Council finds no basis for overturning the recommendation of the Plumbing Technical Committee that the TIA has technical merit. Therefore, it only remains for the Council to determine whether the TIA involves an issue of an emergency nature.

Upon a full review and consideration of all of the information available to it, including testimony of Appellant, the Council finds that the TIA involves an issue of an emergency nature. Accordingly, the Council concludes that a clear and substantial basis exists to amend Sections 204.0, 206.0, 224.0, 908.2, 908.2.1, 908.2.1.1, 908.2.1.2, 908.2.1.3, 908.2.1.4, and 908.2.1.5 of the 2009 edition of the Uniform Plumbing Code – as noted above – so as to clarify the meaning, application and enforcement of the intent of the current code language regarding horizontal wet venting. The Council takes this action based, in part, on the written materials reviewed and testimony presented to it; the evidence presented causes the Council to conclude that the issuance of the TIA will reduce the potential for there to be confusion and misinterpretation of the existing language.

P. Ribbs  
August 29, 2012  
Page 3 of 6

Thus, the Council issued TIA UPC-011-09 and directs that the above amendments be noted as a TIA in the 2009 edition of the UPC. The Council approved of a similar TIA to the 2012 edition of the UPC, as noted in the decision on TIA UPC-001-12. Please note that Council member Rex Crawford recused himself from the deliberations and voting on this matter.

Sincerely,



Gabriella Davis  
Secretary, Standards Council

CC: Neil Bogatz, General Counsel  
Lynne Simnick, Director of Code Development  
Matt Sigler, Plumbing TC Staff Liaison  
IAPMO Standards Council  
Members of the Plumbing TC  
Members of the Horizontal Wet Venting Task Group

**\*\*NOTE:** Participants in IAPMO's codes and standards making process are advised that limited review of this decision may be sought from the IAPMO Board of Directors. For the rules describing the available review and the method for petitioning the Board of Directors for review, please consult Section 1-7 of the *IAPMO Regulations Governing Committee Projects* and the *IAPMO Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council*. **Notice of the intent to file such a petition must be submitted to the Secretary of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter. As the Labor Day Holiday falls during this period, the deadline has been extended to September 10, 2012.** As this document is an American National Standard (ANS), any persons who have directly and materially affected interests by this decision have the right to appeal to ANSI in accordance with ANSI procedures.

# IDAHO PLUMBING BOARD

## Agenda Item No. 09

## Renting of Contractor Licenses

**PRESENTER:** John Nielsen, Plumbing Program Manager

---

**OBJECTIVE:** Find a way to discourage the “renting” of contractor licenses.

---

**ACTION:** Informational

---

**BACKGROUND:** The current rules do not prohibit a licensed plumbing contractor from renting his license.

October 2011 – Dan Long, Dennis Butterfield, and Kenny Calkins were asked to work with DBS to rewrite the definition of a plumbing license and its use.

February 2012 – Proposed language was presented that would require a plumbing contractor to hire a master plumber or signing journeyman to physically work within the business rather than someone outside who may be using their license and have no control over what goes on in the business.

March 2012 – Kenny Calkins addressed the subcommittee’s idea at the Treasure Valley Master Plumbers Association meeting. Mr. Calkins has not received any written input, nor received any opposition to the proposal.

May 2012 – Prior to May meeting, John Nielsen will amend the proposed language with regard to a new master plumber and/or signing journeyman license for the subcommittee’s review.

Steve Keys suggested, and the board agreed to consider, all dealings with the division and other authorities having jurisdiction be in the contractor’s name, not the business name.

July 2012 - The Board voted to table the “Master Plumber” proposal.

---

**ATTACHMENTS:** No documentation

---



# IDAHO PLUMBING BOARD

## Agenda Item No. 10      Witnessing Pressure Testing on Plumbing Systems

**PRESENTER:** Matt Gardner, Board Member

---

**OBJECTIVE:** To receive ideas to expedite the time and expense involved in verifying pressure tests on water, drainage, and venting.

---

**ACTION:** Informational

---

**BACKGROUND:** At the February 2012 Plumbing Board meeting, Michael Spears, The Plumber Inc., expressed concern whether air tests on water/sewer pipes will hold until the inspection(s) is/are performed. One suggestion is to allow the general contractor or supervisor of the job to verify the lines have been properly tested; placing the liability back on the individual/company providing the services.

This topic is still a major concern with plumbing contractors and DBS officials throughout the state. The time and expense that could be saved by both the contractor and DBS is great, especially in remote areas of the state.

---

**PROCEDURAL HISTORY:** **103.5.3 Testing of Systems.** Plumbing systems shall be tested and approved as required by this code or the Authority Having Jurisdiction.

**103.5.3.1 Test.** Tests shall be conducted in the presence of the Authority Having Jurisdiction or the Authority Having Jurisdiction's duly appointed representative.

---

**ATTACHMENTS:** No documentation

---



# IDAHO PLUMBING BOARD

## Agenda Item No. 11

## Plumbing Program Manager Report

**PRESENTER:** John Nielsen, Plumbing Program Manager

---

**OBJECTIVE:** Provide an update on the Plumbing program's current activities.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Plumbing Board meetings.

---

### **PROCEDURAL HISTORY:**

---

**ATTACHMENTS:** Correspondence regarding IAPMO Plumbing Technical Committee

---



VIA EMAIL ONLY: [john.nielson@dbs.idaho.gov](mailto:john.nielson@dbs.idaho.gov)

December 12, 2012

John Nielsen  
Plumbing Program Manager  
State of Idaho – Division of Building Safety  
1090 E. Watertower, Ste. 150  
Meridian, ID 83642

Re: IAPMO Plumbing Technical Committee

Dear Mr. Nielsen:

During their recent teleconference, the IAPMO Standards Council appointed you as the principal voting member representing the State of Idaho on the Plumbing Technical Committee. You will be serving in the Enforcing Authority category.

A representative from our code development department will be contacting you soon to provide you with your web access account and other pertinent committee information. At the dedicated committee site, you will find the following:

- *Regulations Governing Committee Projects;*
- *Guide for the Conduct of Participants in the IAPMO Codes and Standards Development Process;*
- *Technical Meeting Convention Rules; and,*
- *A roster for the Plumbing Technical Committee.*

If you have any questions or concerns, please feel free to contact Matt Sigler, staff liaison to the Plumbing Technical Committee. Matt can be reached at 909-230-5535 or at [matt.sigler@iapmo.org](mailto:matt.sigler@iapmo.org).

Please note, if you have any changes in your status, including a change of address, employment, organization represented, or funding source, you should notify your staff liaison or me as stated in the *Regulations Governing Committee Projects*.

We look forward to your participation on the Plumbing Technical Committee.

Kind regards,



Gabriella Davis  
Secretary, Standards Council

Cc: Tim Collings, Plumbing TC Chair  
Lynne Simnick, Director of Code Development  
Matt Sigler, Plumbing TC Staff Liaison

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# IDAHO PLUMBING BOARD

**Agenda Item No. 12**

**Operational Report**

**PRESENTER:** Steve Keys, Deputy Administrator-Operations

---

**OBJECTIVE:** Apprise the Board on the current operations of the Plumbing program and Division.

---

**ACTION:** Informational

---

**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Plumbing Board meetings.

---

**PROCEDURAL HISTORY:**

---

**ATTACHMENTS:** No documentation

---



# IDAHO PLUMBING BOARD

## Agenda Item No. 13a

## Financial Report

**PRESENTER:** C. Kelly Pearce, Administrator and Kathleen Watkins, Financial Manager

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**OBJECTIVE:** Review the Idaho Plumbing Board Financial Report.

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**ACTION:** Informational

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**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Plumbing Board meetings.

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### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:** Idaho Plumbing Board Financial Report

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**Division of Building Safety**  
 IDAHO PLUMBING BOARD FUND 0229-03  
 Fiscal Year 2013 Financial Statements  
 As of 1/31/2013

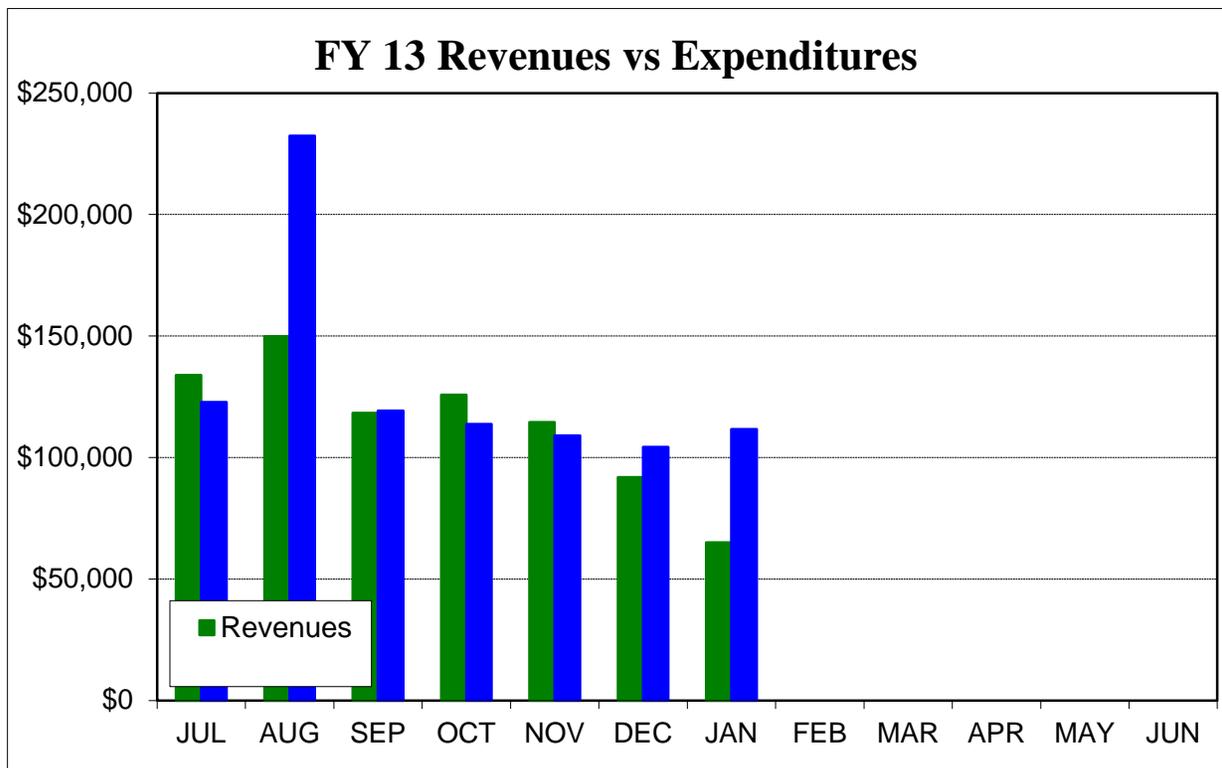
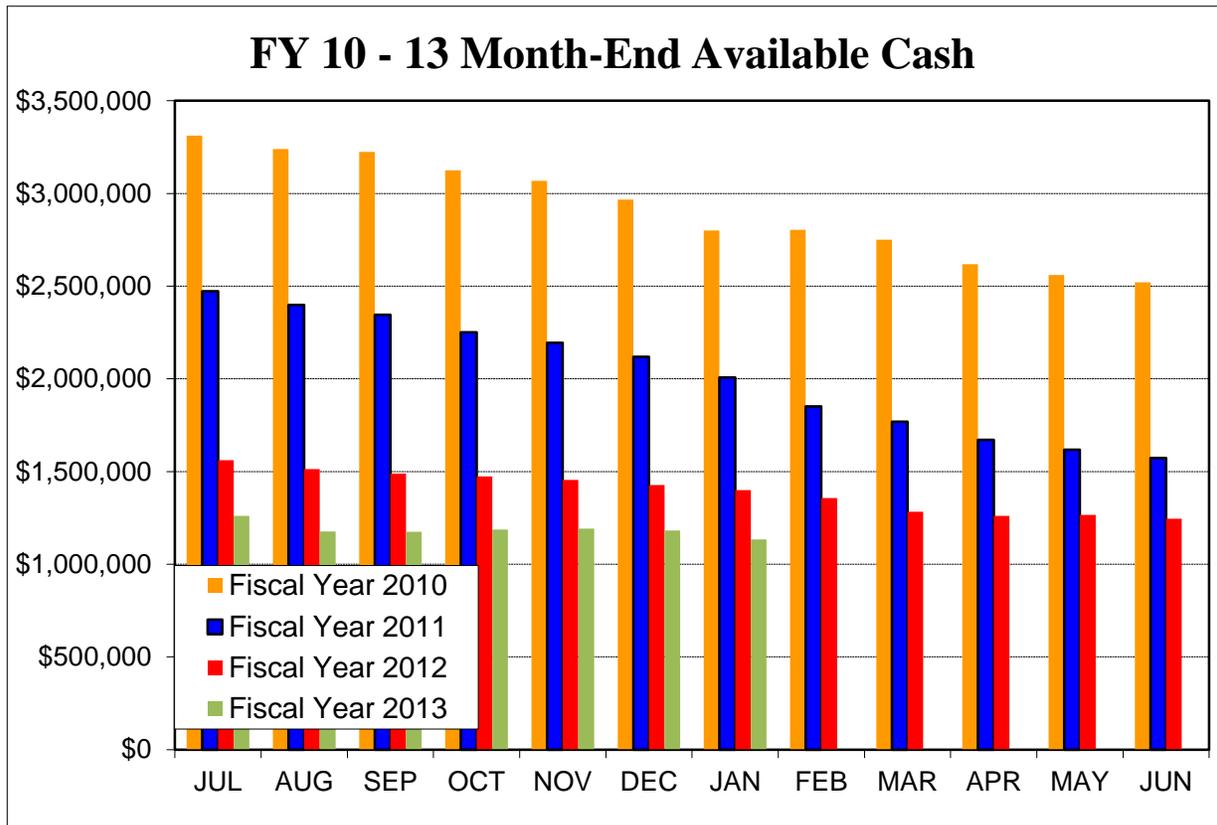
Statement of Revenues and Expenditures

Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	1,150,000	799,473	69.5%	350,527	467,480	1,266,953	110.2%
Expenditures							
Personnel:	1,114,000	633,722	56.9%	480,278	480,476	1,114,198	100.0%
Operating:	349,000	221,640	63.5%	127,360	145,711	367,351	105.3%
Capital:	97,000	57,734	59.5%	39,266	39,266	97,000	100.0%
Total Expenditures	1,560,000	913,096	58.5%	646,904	665,453	1,578,549	101.2%
Net for FY 2013	(410,000)	(113,623)			(197,973)	(311,596)	

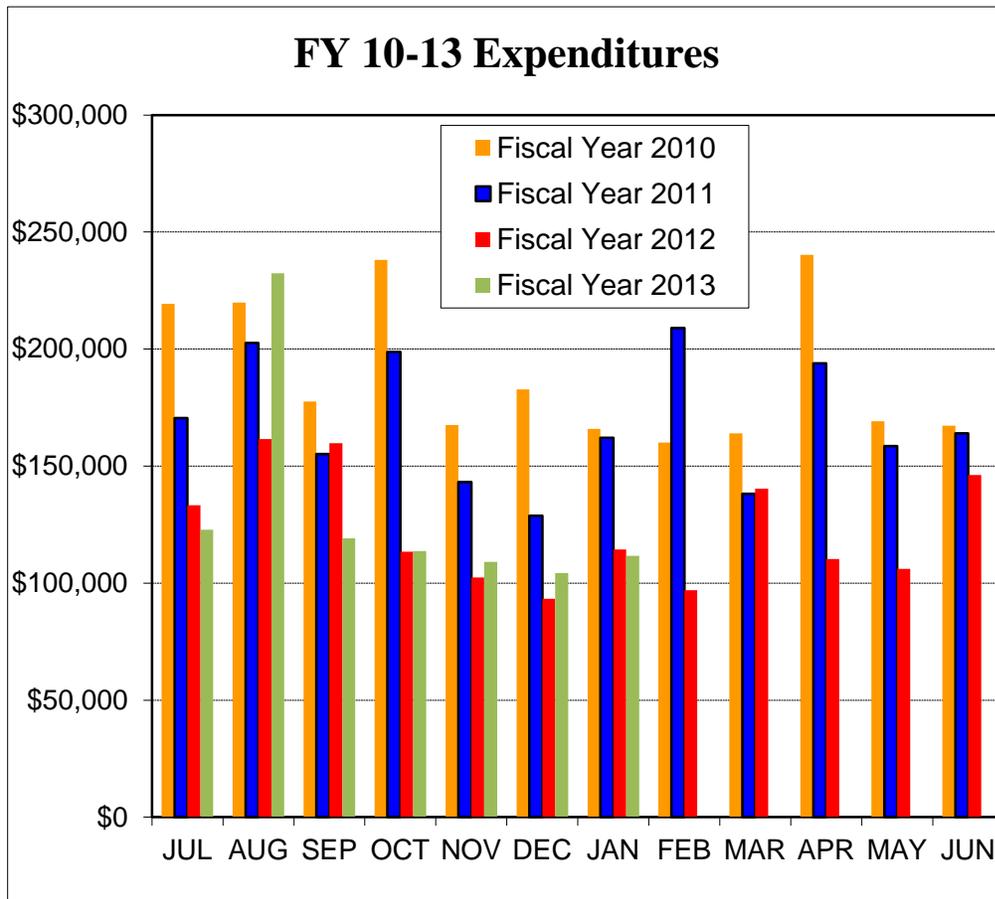
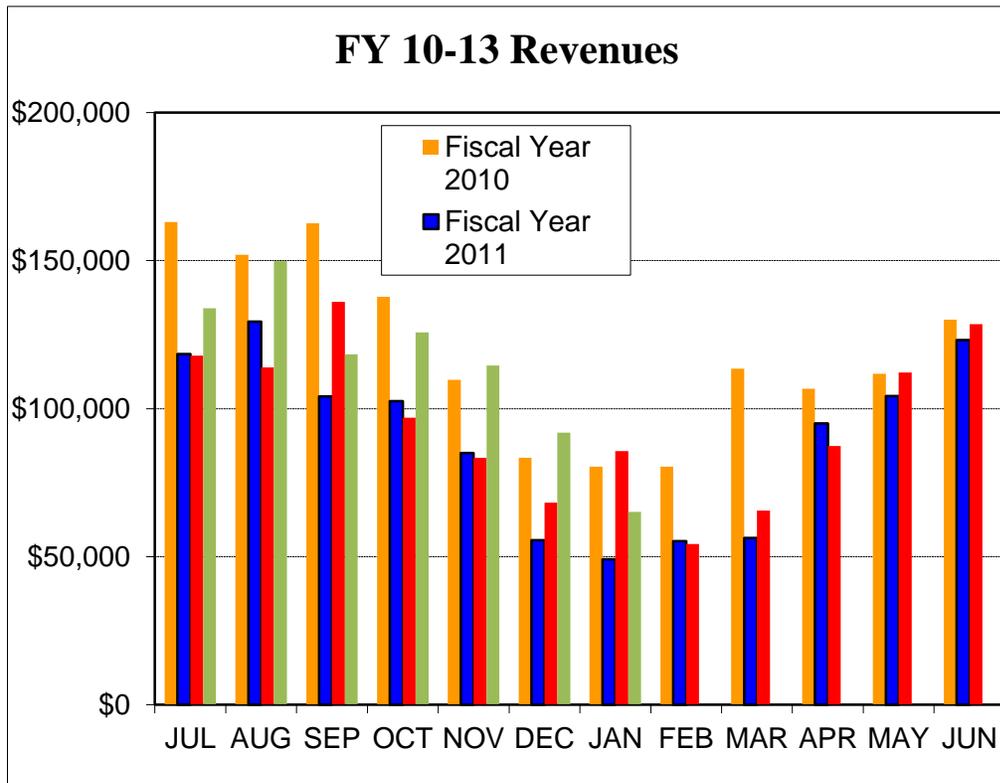
Statement of Cash Balance

July 1, 2012 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of January 31, 2013	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
1,245,822	799,473	(913,096)	1,564	1,133,763	(197,973)	935,790

## IDAHO PLUMBING BOARD FUND 0229-03



# IDAHO PLUMBING BOARD FUND 0229-03



# IDAHO PLUMBING BOARD

**Agenda Item No. 13b**

**Administrator**

**PRESENTER:** C. Kelly Pearce, Administrator

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**OBJECTIVE:** Provide an overview of the Division's current activities.

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**ACTION:** Informational

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**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Plumbing Board meetings.

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** No documentation

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