

# STATE OF WISCONSIN

## PLUMBING LAW

### CHAPTER 145.

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**145.01 Definitions.** (1) **PLUMBING.** In this chapter, "plumbing" means and includes:

(a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.

(b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewerage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private domestic sewage treatment and disposal systems, and the alteration of any such systems, drains or waste piping.

(c) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of, or beneath an area subject to easement for highway purposes and its connections.

(d) The water pressure system other than municipal systems as provided in chapter 144.

(e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, syphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

(2) **MASTER PLUMBER.** A master plumber is any person skilled in the planning, superintending and the practical installation of plumbing and familiar with the laws, rules and regulations governing the same.

(3) **JOURNEYMAN PLUMBER.** A journeyman plumber is any person other than a master plumber, who is engaged in the practical installation of plumbing.

(4) **APPRENTICE.** A plumber's apprentice is any person other than a journeyman or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.

(5) **DEPARTMENT.** Department means the department of health and social services.

(6) **RESTRICTED PLUMBER LICENSEE.** A restricted plumber licensee is any person licensed as a master plumber (restricted) or a journeyman plumber (restricted) under s. 145.14.

(7) **REGISTERED LEARNER.** A registered learner is a person, other than a restricted plumber licensee, who is learning a limited type of plumbing and is engaged in assisting a restricted plumber licensee.

**145.02 Powers of the department.** (1) The construction, installation and maintenance of plumbing in connection with all buildings in this state, including buildings owned by the state or any political subdivision thereof, shall be safe, sanitary and such as to safeguard the public health.

(2) The department shall have general supervision of all such plumbing and shall after public hearing prescribe and publish and enforce minimum, reasonable standards therefor which shall be uniform so far as practicable. The state health officer or any employe designated by the department may act for the department in holding such public hearing.

(3) The department may exercise such powers as are reasonably necessary to carry out the provisions of this chapter. It may, among other things:

(a) Employ competent supervisors who shall be licensed plumbers, and other assistants, prescribe their qualifications and assign their duties. Except in the adoption of rules and regulations, the state health officer may act for the department.

(b) Conduct investigations and experiments for the advancement of technical knowledge relating to plumbing and may hold public meetings and attend or be represented at such meetings within or without the state.

(c) Enter and inspect at reasonable hours plumbing installations on private or public property and may disseminate information relative to the provisions of this chapter.

(d) Prepare and cause to be printed such codes, bulletins or other documents as may be necessary and furnish copies thereof to those engaged in the plumbing business and to the public upon request.

(e) Furnish upon request of the owner of the building or of the plumber making the plumbing installation, recommendations or a certificate of inspection.

(f) Issue special orders directing and requiring compliance with the rules and standards of the department promulgated under this chapter whenever, in the judgment of the department, such rules or standards are threatened with violation, are being violated or have been violated. The circuit court of any county where violation of such an order has occurred shall have jurisdiction to enforce the order by injunctive and other appropriate relief. The district attorney of the county wherein violation of such order has occurred shall bring action for its enforcement.

(4) The department shall prescribe rules as to the qualifications, examination and licensing of master and journeyman plumbers and restricted plumber licensees, for the registration of plumbing apprentices and for the registration and training of registered learners.

**145.03 Apprenticeship; temporary permits.** (1) **APPRENTICESHIP.** The department may determine and prescribe the conditions under which any person may serve a plumbing apprenticeship, as to preliminary and vocational school

attendance requirements, and the credit for such school attendance in serving such an apprenticeship. Every person, regardless of age, commencing a plumbing apprenticeship after July 1, 1943, shall be indentured under ch. 106. The term of a plumbing apprentice shall be 5 years, but the department of industry, labor and human relations or the department may upon application of the apprentice or his employer or both extend such term for not to exceed one additional year. After the expiration of an apprenticeship term, no apprentice shall engage in the business of plumbing either as an apprentice or as a journeyman plumber unless after the expiration of the apprenticeship term he secures a journeyman plumber's license. In case of failure to pass the examination for such license, he may continue to serve as an apprentice but not beyond the time for reexamination for a journeyman plumber's license as prescribed by the rules and regulations of the department. In order that the apprentice may qualify at the end of his apprenticeship as a skilled mechanic in the art of installing plumbing work, the department may prescribe the character of plumbing work that the apprentice may do during the 4th and 5th year under the direction or supervision of a master or journeyman plumber without either such master or journeyman being physically present, provided that the master plumber in charge shall be responsible for all such work.

(2) **TEMPORARY PERMITS.** The department may issue temporary revocable permits to master and journeyman plumbers pending examination, and for such purpose may appoint agents without compensation or may authorize one of its examiners or plumbing supervisors to hold a special permit examination, the result of which to be reported to the department in writing. The department may make rules and prescribe procedure governing the issuance of such permits.

**145.04 Waterworks and sewerage.** (1) **ORDINANCE RULES.** A city of the first, second or third class having a system of waterworks or sewerage shall, and a village or city of the fourth class or any township or county or any metropolitan sewerage commission may, by ordinance, prescribe rules and regulations to safeguard the public health, not in conflict with the minimum standards prescribed by the department for the materials, construction, alteration and inspection of pipes, tanks and fixtures by which supply or waste water or sewage is used or carried, and provide that they shall not be placed in any building except in accordance with plans approved by the board of public works, where such board exists, or the board of health or such authority as the department or any metropolitan sewerage commission may designate, and that no plumbing shall be done, except repairing leaks, without permit upon prescribed conditions.

(2) **NO LOCAL LICENSES.** No city, village, town, town sanitary district, county, metropolitan sewerage district commission or other agency may require the licensing of any person licensed or registered under this chapter or prohibit such person from engaging in or working at business within the scope of his license or permit.

(3) **REPORTS TO THE DEPARTMENT.** The authorities of any such city or metropolitan sewerage district shall report to the department each failure on the part of a state licensed plumber to qualify as a journeyman or master plumber and each wilful violation of any plumbing regulation.

**History:** 1965 c. 661.

No city, village, township, county, or metropolitan sewerage district can lawfully require a plumber duly licensed by the state

to post an indemnity bond or public liability insurance policy as a prerequisite to operate in such district. 51 Atty. Gen. 24

**145.05 Plumbing supervisors, supervision.** (1) The council of a city of the first, second or third class, having a system of waterworks or sewerage, or the officer or board in charge, shall appoint one or more plumbing supervisors, who shall be licensed plumbers, and unless under civil service shall serve for a term of 4 years or more subject to removal for just cause except as otherwise provided by ordinance when first appointed, but need not renew their licenses while they continue in office. The council of a city of the fourth class and the board of a village, township, county or the commissioner in charge of any metropolitan sewerage district may appoint one or more plumbing supervisors who shall be practical plumbers, skilled sanitarians, or competent persons familiar with plumbing and unless under civil service shall serve for a term of 4 years or more subject to removal for just cause except as otherwise provided by ordinance. They shall supervise all plumbing, new or alterations or repairs, and report to the appointing body violations of regulations, and perform such other appropriate duties as may be required. Their compensation shall be fixed by the council, board or commission.

(2) Where a system of waterworks or sewerage has been or shall be established in any city, village, town or metropolitan sewerage district which has not provided for a board or officer to supervise plumbing, drainage and sewerage, the department shall take immediate and entire control of plumbing, drainage and sewerage intended to be connected with public sewer or waterworks, and exercise all the powers conferred by this section until such municipalities or district provides for such supervision.

**145.06 License required; exemptions.** (1) (a) No person shall engage in or work at plumbing in the state unless licensed to do so by the department. A master plumber may work as a journeyman. No person shall act as a plumber's apprentice unless registered with the department.

(b) No public utility shall engage in or perform plumbing unless exempted by sub. (4).

(2) No person shall install plumbing unless at all times a licensed master plumber is in charge, who shall be responsible for proper installation. Licenses shall be issued only to individuals and no license shall be issued to or in the name of any firm or corporation. No such license shall be transferable. It is unlawful for any licensed master plumber to allow the use of his license, directly or indirectly, for the purpose of obtaining local permits for others or to allow the use of his license by others to install plumbing work.

(3) Each member or employe of a copartnership or each officer or employe of a corporation engaging in the business of superintending plumbing installations shall be required to apply for and obtain a master plumber's license before engaging in the work of superintending plumbing installations.

(4) This section shall not apply to:

(a) Plumbing work done by a property owner in a one-family building owned and occupied by him as his home or farm building, except where such license is required by local ordinance.

(b) Plumbing from the private water supply pump to and including the initial pressure tank and connection to an existing water distribution system, when installed by persons licensed under ch. 162.

(c) Installation of sewer and water service piping from the main to the property lot line, when installed by authorized municipal utility employes or sewer and water utility installers under a contract with a municipality.

(d) Making minor repairs to faucets, valves, pipes or appliances, repair or replacement of electrical or gas energy or other automatic valves or control devices or removing of stoppages in waste or drainage pipes.

(e) Installation of sewer and water mains, as defined in ch. 144, when installed by sewer and water utility contractors and their employes.

(f) Installation, repair or replacement of water service piping, from the property line to the meter, including meter installation, to service any building or structure or proposed building or structure when such installation, repair or replacement is accomplished by employes of a public municipal water utility, providing such utility regularly has engaged in such installation, repair or replacement for at least 5 years prior to January 1, 1964.

**145.07 Licenses; grandfather clause, examinations.** (1) Any person heretofore not required to be licensed under this chapter, who was actively engaged on or before January 1, 1964, in the practical installation of plumbing in this state, may be licensed without examination as a master or journeyman plumber, whichever is appropriate to the particular applicant, upon presenting to the department on forms prescribed by the department evidence of the foregoing satisfactory to the department. Such application shall be presented not later than January 31, 1965, and shall be accompanied by the appropriate license fee.

(2) Application for a master or journeyman plumber's examination, temporary permit or license shall be made to the department with fees. Unless the applicant is entitled to a renewal of license, a license shall be issued only after the applicant passes a satisfactory examination showing fitness. No such license or permit shall be transferable.

(3) An applicant for examination for licensure as a master plumber shall submit evidence satisfactory to the department as follows:

(a) A specific record of not less than 1,000 hours per year experience for 3 or more consecutive years as a licensed journeyman plumber in this state; or

(b) Graduation in engineering from a school or college approved by the department and a specific record of 3 or more consecutive years as an owner or co-owner of a firm or corporation in this state engaged in the installation of plumbing. Related experience of not less than 1,000 hours per year shall have been acquired under the supervision of a master plumber licensed in this state. Persons meeting the qualifications of this paragraph who submit an application to the department prior to July 31, 1966, may be licensed without examination.

(4) An applicant for examination for licensure as a journeyman plumber shall submit evidence satisfactory to the department as follows:

(a) Completion of a 5-year apprenticeship consisting of not less than 1,900 hours per year and completion of all requirements as to shop training and related instruction as the department by rule prescribes.

(b) A certificate of graduation as a registered apprentice from an accredited trade school approved by the department and completion in this state of 2 years of shop training and related instruction as the department by rule requires.

(5) Any resident who has been actively engaged in this state in a limited type of plumbing installation work for a period of not less than 1,000 hours per year for 2 or more consecutive years as a licensed journeyman plumber (restricted) may be examined for licensure as a master plumber (restricted).

(6) Applicants for examination for licensure as a journeyman plumber (restricted) shall have completed one continuous year of work experience consisting of not less than 1,000 hours per year and give evidence of completion of shop training and related instruction as the department by rule requires.

(7) (a) A person shall be registered as a registered learner with the department without examination or training prequalifications and shall not be required to be indentured under ch. 106.

(b) To establish a record of beginning, each learner shall within 30 days after employment register with the department. A fee of \$5 shall be paid at the time of registration and for each subsequent calendar year during which he is employed as a learner.

(8) If any person licensed without examination under sub. (1) or who submits an application to the department prior to July 31, 1966, acquired his experience in the practical installation of a limited type of plumbing such as septic tank installations, water softener installations or other limited types of installation, the department shall, in renewing or issuing a license to such person, issue to him, without examination, a masters plumber's license (restricted) or a journeyman plumber's license (restricted), whichever is appropriate, and such license, on its face, shall restrict the holder thereof to the specific types of plumbing installation in which such licensee, prior to January 1, 1964, acquired his experience in the practical installation of plumbing.

(9) Master plumbers, journeyman plumbers and apprentices are not subject to the restrictions under s. 145.14.

**145.08 Fees; expiration of license; registration.** (1) The fees are as follows:

(a) For master plumber's examination, \$25. For each subsequent examination, \$20.

(b) For master plumber's license, \$50 and \$50 for each renewal of license if application is made prior to January 1, annually; after that date an additional fee of \$10.

(c) For journeyman plumber's examination, \$15. For each subsequent examination, \$10.

(d) For journeyman plumber's license \$15 and \$15 for each renewal of license if application is made prior to January 1, annually; after that date an additional fee of \$5.

(e) For temporary permit pending examination and issuance of license for master plumber, \$100; for journeyman \$35 and which shall also cover the examination fee prescribed and the license fee for the year in which issued.

(f) For master plumber's (restricted) examination, \$25. For each subsequent examination, \$15.

(g) For master plumber's license (restricted), \$25 and \$25 for each renewal of license if application is made prior to January 1, annually; after that date an additional fee of \$5.

(h) For journeyman plumber's (restricted) examination, \$15. For each subsequent examination, \$10.

(i) For journeyman plumber's license (restricted), \$15, and \$15 for each renewal of license if application is made prior to January 1, annually; after that date an additional fee of \$5.

(j) The initial license fee under this subsection shall be paid immediately upon notice from the department that the applicant has passed an examination. Upon failure to pay the license fee within 30 days after receiving such notice, no license shall be issued and the applicant shall again appear for examination and pay the examination fee.

(2) No license shall be issued for longer than one year and all licenses shall expire on December 31 in each year, and such license may be renewed upon application made prior to date of expiration. The department may renew licenses upon application made after January 1 if it is satisfied that the applicant has good cause for not making application within the month of December and upon payment of the renewal and additional fees prescribed.

(3) To establish a record of his beginning an apprenticeship every plumbing apprentice shall within 30 days after beginning an apprenticeship register with the department. A fee of \$5 shall be paid at the time of registration and for each subsequent calendar year during which he is engaged in his apprenticeship prior to January 1.

**145.09 State comity.** (1) Persons holding a current license under the laws of any other state having license provisions governing plumbers which in the department's opinion are equivalent to the requirements of this chapter may be accepted in their license classification for examination for a like license in this state without submitting evidence required under s. 145.07.

(2) Any person whose experience in another state meets the requirements of this chapter in the opinion of the department may be accepted for examination as a restricted plumber licensee in such classifications as the department deems appropriate.

**145.10 Investigations, hearings, suspension, revocation.** (1) The department may make investigations and conduct hearings and may, on its own or upon complaint in writing duly signed and verified by the complainant, and not less than 10 days' notice to the licensee, suspend any plumber's license or temporary permit if it has reason to believe, and may revoke such license or permit in the manner hereinafter provided, if it finds that the holder of such license or permit has:

(a) Made a material misstatement in the application for license or renewal thereof or for temporary permit; or

(b) Failed to correct an installation for which he is responsible, at his own expense, within 30 days following notification by the department of a violation of any rule adopted pursuant to this chapter.

(2) A copy of the complaint with notice of the suspension of license or permit, shall be served on the person complained against, and his answer thereto shall be filed, in the manner and within the time provided in s. 452.10 (4), and the provisions of said subsection shall govern so far as applicable.

(3) No order revoking a license or permit shall be made until after a public hearing to be held before the department at the place, time and in the manner provided in section 452.11 (2); and the procedure provided in said section for notice, conduct of hearing and determination by the department shall govern so far as applicable. One year after the date of revocation, application may be made for a new license.

**145.11 Plumber's sign.** (2) No person other than a licensed master plumber shall use or display the title "Master Plumber" or append his name to or in connection with such title or any other title or words which represent or may tend to represent him as a licensed master plumber. Every holder of such license shall promptly notify the department of any change of his business address.

**145.12 Prohibitions and penalties.** Any person, firm or corporation who engages in or follows the business or occupation of, or advertises or holds himself or itself out as or acts temporarily or otherwise as a master plumber without first having secured the required license or permit, or who otherwise violates any provisions of this chapter, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days, or by both such fine and imprisonment. Each day during which a violation continues shall be a separate offense.

(2) Any person violating this chapter or failing to obey a lawful order of the department, or a judgment or decree of a court in connection with this chapter, may be imprisoned for not more than 3 months or fined not more than \$100.

(3) Any master plumber who shall employ an apprentice on plumbing representing him to be a journeyman, or who shall charge for an apprentice a journeyman's wage, shall be punished by a fine of not more than twenty-five dollars, or by imprisonment in the county jail for not more than thirty days. Each day of violation shall be a separate offense.

**145.13 Promulgation of plumbers' code.** The state plumbing code and amendments thereto as adopted by the department have the effect of law in the form of minimum standards state wide in application and shall apply to all types of buildings, private or public, rural or urban, including buildings owned by the state or any political subdivision thereof. All plumbing installations shall so far as practicable be made to conform with such code. Cities and villages may make additional regulations not in conflict with such code.

**145.14 Plumbers license (restricted).** (1) LIMITATIONS. (a) Persons licensed as master plumbers (restricted), journeyman plumbers (restricted) or registered learners shall be classified by the department under sub. (2) and shall be restricted to the type of work for which they have been classified and to the requirements indicated in this section.

(b) Persons licensed as journeyman plumbers (restricted) or registered learners shall work under the supervision of a master plumber or a master plumber (restricted). A master plumber (restricted) may also work as a journeyman plumber (restricted). No journeyman plumber (restricted) or registered learner shall contract for work, advertise or do anything which would lead others to believe him to be qualified as a master plumber (restricted) in his classification.

(c) All persons licensed as master plumbers (restricted), journeyman plumbers (restricted) or registered learners shall be subject to all laws and rules governing plumbers. If qualified, persons may be licensed under any number of classifications under sub. (2). Separate licenses shall be issued under sub. (2) (a) and (b), but licenses issued under sub. (2) (b) may extend to any number of items under that paragraph.

(2) CLASSIFICATIONS. The classifications which the department shall use are a sewer service classification and an "appliances, equipment and devices" classification. Persons so classified may engage in the following types of work:

(a) Sewer services. Persons classified under this paragraph may install septic tanks for private sewage disposal systems, drain fields designed to serve such septic tanks, and the sewer service from the septic tank or sewer extensions from mains to the immediate inside or proposed inside foundation wall of the building.



(b) Appliances, equipment or devices. Under this paragraph persons installing water softeners, water heaters or other items in connection with the water supply or water distribution systems which do not require a direct connection to the waste or drain piping systems are limited to making connection to existing installations. There shall be no drilling, tapping or direct connection made to any waste or drain pipe to serve items installed under this section. The maximum length of water piping permitted to be installed under this section shall be the minimum required to connect the item to the system.

History: 1969 c 451

**144.03 SEPTIC TANK PERMITS.** Before any septic tank may be purchased or installed, the owner of the property on which the septic tank is to be installed shall obtain a permit for such installation from the county clerk, the county zoning administrator or other persons designated by the county board. The permit application shall state the owner's name and address, the location of the property on which the septic tank is to be installed, the name of the installer and any state license held by him, the specifications of the septic tank and any other information required by the department of health and social services. Upon receipt of an application together with a fee of \$1.00, the county clerk or such other person shall issue a permit and shall forward the application and fee to the department of health and social services. If the state board of health received the application within 10 days after the application is filed, it shall reimburse the county clerk or such other person 50 cents for issuing the permit. The department of health and social services shall prescribe and furnish application and permit forms, and may designate any person to issue permits, including sellers of septic tanks.

(2) No retailer may sell a septic tank for installation in this state unless the purchaser first displays a permit obtained under this section for that installation.

**SECTION 2.** 145.15 of the statutes, as created by chapter 154, laws of 1969 is repealed.

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