

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON WHO BUILDS OR REMODELS A BUILDING OR STRUCTURE SHALL ENSURE INSTALLATION, IN THE BUILDING OR STRUCTURE, OF FIXTURES AND DEVICES THAT ARE REQUIRED BY AND MEET THE STANDARDS FOR APPROVAL AS SET OUT IN THE STATE PLUMBING CODE OR ANY APPLICABLE LOCAL PLUMBING CODE.

(B) SUSPENSION OF ENFORCEMENT.

ENFORCEMENT OF THIS SECTION MAY BE SUSPENDED FOR A SPECIFIED PERIOD IF A LOCAL PLUMBING INSPECTOR DETERMINES THAT:

(1) THERE IS AN INADEQUATE SUPPLY OF FIXTURES AND DEVICES THAT ARE REQUIRED BY AND MEET THE STANDARDS FOR APPROVAL AS SET OUT IN THE STATE PLUMBING CODE OR ANY APPLICABLE LOCAL PLUMBING CODE;

(2) THE CONFIGURATION OF A DRAINAGE SYSTEM FOR A BUILDING REQUIRES A GREATER QUANTITY OF WATER TO ADEQUATELY FLUSH THE SYSTEM THAN IS DELIVERED BY FIXTURES AND DEVICES THAT ARE REQUIRED BY AND MEET THE STANDARDS FOR APPROVAL AS SET OUT IN THE STATE PLUMBING CODE OR ANY APPLICABLE LOCAL PLUMBING CODE; OR

(3) HISTORIC RESTORATION WOULD BE AFFECTED ADVERSELY.

COMMITTEE COMMENT: This section is new language derived from former Art. 56, § 445(a)(7) and (d) and the introductory language of (c)(1).

Subsection (a) of this section is revised, in the active voice, to clarify that the onus for compliance falls on the person who undertakes the building or construction. This revision is nonsubstantive since a person providing plumbing services would, in any event, be required to comply with the plumbing code. See § 3-502 of this title.

In subsection (a) of this section, the reference to "installation, in the building or structure, of fixtures and devices that are required by ... the State Plumbing Code or any applicable local plumbing code" is substituted for the reference, in the introductory language of former Art. 56, § 445(c), to "the following fixtures or devices" and § 445(c)(1)(i) through (iv), (2), and (3), since the enumerated fixtures are required by the State Plumbing Code. The Committee believed that a person should adhere to the State Plumbing Code, including more stringent requirements that may be adopted in the future.