



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4633

Introduced 2/1/2012, by Rep. Daniel Biss

SYNOPSIS AS INTRODUCED:

225 ILCS 320/2.5

Amends the Illinois Plumbing License Law. Provides that certain lawn sprinkler systems shall not be required to be retrofitted with a reduced pressure zone (RPZ) valve until 5 years after the effective date of the amendatory Act. Provides that the Illinois Department of Public Health shall also provide an exemption for such lawn sprinkler systems from any requirement to retrofit a lawn sprinkler system with a RPZ valve if the Department finds that either the lawn sprinkler system cannot be retrofitted with a RPZ valve or that the costs of doing so would be unreasonably high. Effective immediately.

LRB097 16278 CEL 61432 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Plumbing License Law is amended by
5 changing Section 2.5 as follows:

6 (225 ILCS 320/2.5)

7 (Section scheduled to be repealed on January 1, 2013)

8 Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

9 (a) Every irrigation contractor doing business in this
10 State shall annually register with the Department. Every
11 irrigation contractor shall provide to the Department his or
12 her business name and address, telephone number, name of
13 principal, FEIN number, and an original certificate of
14 insurance documenting that the irrigation contractor carries
15 general liability insurance with a minimum of \$100,000 per
16 occurrence, bodily injury insurance with a minimum of \$300,000
17 per occurrence, property damage insurance with a minimum of
18 \$50,000, and worker's compensation insurance with a minimum of
19 \$500,000. No registration may be issued in the absence of the
20 certificate of insurance. The certificate must be in force at
21 all times for registration to remain valid.

22 On a form provided by the Department, every irrigation
23 contractor must provide to the Department an indemnification

1 bond in the amount of \$20,000 or an irrevocable letter of
2 credit from a financial institution guaranteeing that funds
3 shall be available only to the Department and shall be released
4 upon written notification by the Department in the same amount
5 for any work on lawn sprinkler systems performed by the
6 registered irrigation contractor. The letter of credit shall be
7 printed on the letterhead of the issuing financial institution,
8 be signed by an officer of the same financial institution, name
9 the Department as the sole beneficiary, and expire on February
10 28 of each year.

11 Every irrigation contractor doing business in this State
12 shall also register with the Department each and every employee
13 who installs or supervises the installation of lawn sprinkler
14 systems. The registration shall include the employee's name,
15 home address, and telephone number. The Department may provide
16 by rule for the administration of registrations under this
17 subsection. The annual registration fee shall be set by the
18 Department pursuant to Section 30 of this Act. Each registered
19 irrigation contractor must provide proof that he or she employs
20 at least one irrigation employee who has completed and passed
21 an approved class in the design and installation of lawn
22 sprinkler systems.

23 (b) A licensed plumber or licensed apprentice plumber may
24 install a lawn sprinkler system connected to any water source
25 without registration under this Section.

26 (c) A licensed plumber shall inspect every sprinkler system

1 installed by an irrigation contractor to ensure the provisions
2 of this Section have been met and that the system works
3 mechanically. A licensed plumber shall make the physical
4 connection between a lawn sprinkler system and the backflow
5 prevention device.

6 Upon the installation of every lawn sprinkler system in
7 this State from the effective date of this amendatory Act of
8 the 91st General Assembly forward, a licensed plumber shall
9 affix to the backflow prevention device a tag certifying that
10 the installation of that system has been completed in
11 compliance with the minimum code of plumbing standards
12 promulgated under this Act. The Department shall provide by
13 rule for the registration of every lawn sprinkler system
14 installed after the effective date of this amendatory Act of
15 the 91st General Assembly, including the means by which the
16 Department shall be able to identify by registration number the
17 identity of the responsible irrigation contractor and by
18 license number the identity of the responsible licensed
19 plumber. No lawn sprinkler system installed after the effective
20 date of this amendatory Act of the 91st General Assembly may be
21 operated without the certification tag required under this
22 Section.

23 The registered irrigation contractor and the licensed
24 plumber whose identifying information is contained on the
25 certification tag shall both be subject to the penalty
26 provisions of this Act for violations for improper installation

1 of a lawn sprinkler system installed after the effective date
2 of this amendatory Act of the 91st General Assembly.

3 (d) An irrigation contractor who has registered with the
4 Department 7 or fewer persons who are authorized to install or
5 supervise the installation of lawn sprinkler systems shall
6 either employ or contract with at least one licensed plumber
7 who shall install or be responsible for the installation of
8 every lawn sprinkler system installed after the effective date
9 of this amendatory Act of the 91st General Assembly. The
10 licensed plumber shall inspect the risers and sprinkler heads
11 before backfilling.

12 An irrigation contractor who has registered with the
13 Department 8 to 12 persons who are authorized to install or
14 supervise the installation of lawn sprinkler systems shall
15 either employ or contract with at least 2 licensed plumbers who
16 shall install or be responsible for the installation of every
17 lawn sprinkler system installed after the effective date of
18 this amendatory Act of the 91st General Assembly. A licensed
19 plumber shall inspect the risers and sprinkler heads before
20 backfilling.

21 An irrigation contractor who has registered with the
22 Department 13 to 20 persons who are authorized to install or
23 supervise the installation of lawn sprinkler systems shall
24 either employ or contract with at least 3 licensed plumbers who
25 shall install or be responsible for the installation of every
26 lawn sprinkler system installed after the effective date of

1 this amendatory Act of the 91st General Assembly. A licensed
2 plumber shall inspect the risers and sprinkler heads before
3 backfilling.

4 An irrigation contractor who has registered with the
5 Department 21 to 28 persons who are authorized to install or
6 supervise the installation of lawn sprinkler systems shall
7 either employ or contract with at least 4 licensed plumbers who
8 shall install or be responsible for the installation of every
9 lawn sprinkler system installed after the effective date of
10 this amendatory Act of the 91st General Assembly. A licensed
11 plumber shall inspect the risers and sprinkler heads before
12 backfilling.

13 An irrigation contractor who has registered with the
14 Department 29 to 35 persons who are authorized to install or
15 supervise the installation of lawn sprinkler systems shall
16 either employ or contract with at least 5 licensed plumbers who
17 shall install or be responsible for the installation of every
18 lawn sprinkler system installed after the effective date of
19 this amendatory Act of the 91st General Assembly. A licensed
20 plumber shall inspect the risers and sprinkler heads before
21 backfilling.

22 An irrigation contractor who has registered with the
23 Department 36 or more persons who are authorized to install or
24 supervise the installation of lawn sprinkler systems shall
25 either employ or contract with at least 6 licensed plumbers who
26 shall install or be responsible for the installation of every

1 lawn sprinkler system installed after the effective date of
2 this amendatory Act of the 91st General Assembly. A licensed
3 plumber shall inspect the risers and sprinkler heads before
4 backfilling.

5 The Department may provide by rule for the temporary waiver
6 process for registered irrigation contractors who are unable to
7 comply with the requirements of this subsection. When a
8 temporary waiver is granted, it shall not be for a duration of
9 more than 3 consecutive months. Upon the expiration of a
10 temporary waiver issued by the Department, the registered
11 irrigation contractor shall demonstrate that justifiable
12 reasons exist why he or she is still unable to comply with the
13 requirements of this subsection, despite good faith efforts to
14 comply with the requirements. In no case shall a temporary
15 waiver be granted for an irrigation contractor for more than a
16 total of 6 months in a two-year period. In no case shall an
17 irrigation contractor be relieved of the requirement that a
18 licensed plumber shall inspect every sprinkler system
19 installed by an irrigation contractor to ensure the provisions
20 of this Section have been met and that the system works
21 mechanically and make the physical connection between a
22 sprinkler system and the backflow prevention device.

23 (e) No person shall attach to a lawn sprinkler system any
24 fixture intended to supply water for human consumption.

25 No person shall attach to a lawn sprinkler system any
26 fixture other than the backflow prevention device, sprinkler

1 heads, valves, and other parts integral to the operation of the
2 system, unless the fixture is clearly marked as being for
3 non-potable uses only.

4 (f) A college, university, trade school, vocational
5 school, or association that has established a program providing
6 a course of instruction in lawn sprinkler design and
7 installation may submit a letter to the Department requesting
8 approval of its program or course of instruction.

9 The request for approval shall include information on the
10 curriculum offered by the program and the qualifications of the
11 organization. The course shall consist of a minimum of 2 days
12 of classroom education and an exam and shall include a
13 provision for continuing education.

14 The Department shall evaluate the curriculum and
15 organization before making a determination to approve or deny a
16 request for approval.

17 In addition to providing to the Department the names of
18 licensed plumbers who are employed by or contract with an
19 irrigation contractor, an irrigation contractor must also
20 provide to the Department the names of employees who have
21 successfully completed an approved course on the installation
22 of lawn sprinkler systems and proof that the course was
23 successfully completed and that continuing education is also
24 being completed.

25 (g) All automatically operated lawn sprinkler systems
26 shall have furnished and installed technology that inhibits or

1 interrupts operation of the landscape irrigation system during
2 periods of sufficient moisture or rainfall. The technology must
3 be adjustable either by the end user or the irrigation
4 contractor.

5 This subsection (g) does not apply to systems operating on
6 golf courses or agricultural lands.

7 The requirements of this subsection (g) apply to all
8 landscape irrigation systems installed after January 1, 2009.

9 (h) Notwithstanding any provision in this Act, any rule
10 adopted pursuant to this Act, or any ordinance or rule of any
11 unit of local government in the State, including any home rule
12 unit, a lawn sprinkler system that was installed 20 or more
13 years prior to the effective date of this amendatory Act of the
14 97th General Assembly shall not be required to be retrofitted
15 with a reduced pressure zone (RPZ) valve until 5 years after
16 the effective date of this amendatory Act. The Department shall
17 provide an exemption for such a lawn sprinkler system from any
18 requirement to be retrofitted with a RPZ valve if the
19 Department finds that either the lawn sprinkler system cannot
20 be retrofitted with a RPZ valve or that the costs of doing so
21 would be unreasonably high.

22 (Source: P.A. 94-101, eff. 1-1-08; 95-421, eff. 1-1-09.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.