

**A BILL FOR AN ORDINANCE
AMENDING CHAPTER 14, KAUA'I COUNTY CODE 1987, AS AMENDED,
RELATING TO THE PLUMBING CODE**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Chapter 14, Article 2 of the Kaua'i County Code 1987, as amended, is hereby amended as follows, and all other and prior ordinances or parts of ordinances in conflict herewith are hereby repealed:

“[ARTICLE 2. ADOPTION OF THE 2012 UNIFORM PLUMBING CODE AND AMENDMENTS THERETO

Sec. 14-2.1 Adoption of the Uniform Plumbing Code.

The “Uniform Plumbing Code, 2012 Edition,” including Appendices A, B, C, G, and I, and other portions of the Code only where specifically noted, as copyrighted and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, CA 91761-2816, is incorporated by reference and made a part of this Chapter. This incorporation by reference includes all above-referenced parts of the Uniform Plumbing Code subject to the amendments hereinafter set forth.

The 2012 Uniform Plumbing Code Chapter 1, Administration, shall follow the provisions of Chapter 1 of the International Building Code, as amended, in Chapter 12 of the Kaua'i County Code 1987, as amended, except for the following Sections:

Section 105.2.1 Emergency Repairs. Whenever it is necessary to make emergency repairs after normal working hours, on the weekend, or on holidays, the person doing the work shall apply for the proper permits at the Kaua'i County Building Division within two business days.

Section 105.3.1.3 To Whom Plumbing Permits May Be Issued. A plumbing permit is required to perform work covered by this Code and will be issued only to:

- (1) A Plumbing Contractor holding a valid unexpired license under HRS Chapter 444.
- (2) A firm, partnership, association, or corporation other than a plumbing contractor doing work that includes incidental and supplemental plumbing work as defined by HRS Chapter 444 and who has under its employment a plumber holding a valid unexpired license that complies with the provisions set forth in HRS Chapter 448E.
- (3) A Gas Utility Company for doing gas piping work.
- (4) County, Federal and State governments with agencies having under their employment a licensed plumber complying with the provisions set forth in HRS Chapter 448E.
- (5) An owner who performs plumbing work on his or her own building or structure in compliance with HRS Chapter 444 and provided such homeowner is holding a valid unexpired license under HRS Chapter 448E.
- (6) A person, firm, partnership, association or corporation holding a valid unexpired class “A” general engineering or class “C” specialty contractor license for work authorized by the provisions of HRS Chapter 444.

This does not preclude a homeowner who is licensed under HRS Chapter 448E to do plumbing maintenance work for buildings he or she owns.

Section 105.8 is amended by adding a second paragraph to read:

Performance. When required pursuant to HRS Chapter 448E, a licensed plumber holding a valid license in compliance with HRS Chapter 448E shall be at the site at all times during the performance, direction or supervision of any plumbing work that is authorized by a permit. The enforcement for compliance with HRS Chapter 444 and HRS Chapter 448E shall be the responsibility of the State of Hawai'i.

Plumbing Permit Fees

For issuing each permit, an application fee of:	\$15.00
In addition:	
For each plumbing fixture or trap (including drainage and vent piping):	\$7.00
For installation, addition, alteration, demolition, removal and repair of each building sewer or building drainage system, including the first 50 feet of drain and sewer lines:	\$20.00
For each additional foot of drain and sewer lines thereof:	\$1.00
For each industrial waste, grease, sand or dirt interceptors and sewage ejector, including its trap and vent:	\$15.00
For installation, addition, alteration or repair of water piping and/or water treating equipment:	\$7.00
For vacuum breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served:	\$15.00
For each vacuum breakers or backflow protective devices installed to hosebibbs:	\$7.00
For each lawn sprinkler system on any one valve including backflow protection devices therefor:	\$15.00
For each electric, oil, gas or solar water heater and/or vent:	\$7.00
For each new installation, addition, altering or repairing of gas piping system, house piping and/or exterior piping for lamps, luau torches and other misc. equipment:	\$15.00
For each gas appliance:	\$7.00
For medical gas piping first five inlet(s) or outlet(s):	
For a specific gas:	\$15.00
For each additional inlet or outlet:	\$2.00
For each swimming pool with drainage connection:	\$15.00
For any transferability of plumbing permit as herein provided, a transfer fee is required:	\$50.00
Reinspection fees assessed under provisions of Sec. 14-2.9:	\$50.00
For each foundation work only, the first:	
10 plumbing fixtures:	\$15.00
For each additional plumbing fixture:	\$2.00
For each gray water system:	\$15.00

The following paragraph of Section 203.0 is added after the definition of "Aspirator."
"Assistants - Whenever the term "assistants" is used in this Code it shall be construed to mean the authorized representatives of the Administrative Authority."

The following paragraph of Section 203.0 is added after the definition of "Authority Having Jurisdiction."

"Authorized Representatives - When the term "Authorized Representatives" is used in this Code it shall be construed to mean all plumbing inspectors and their supervisors designated as subordinate officers to the Administrative Authority in the enforcement of this Code."

The following paragraph is added before the definition of "Boiler Blowoff."

Board - The Board of Appeals as specified in Chapter 12, Building Code, Kaua'i County Code 1987, as amended."

The definition "Building Drain" is amended by deleting the words "two (2) feet (.6m)" and inserting in lieu thereof the words "five (5) feet (1.5m)."

Section 204.0 is amended to read as follows:

Building Drain - That part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of buildings and conveys it to the building sewer beginning five (5) feet (1,524 mm) outside the building wall."

Section 205.0 is amended as follows:

County - The County of Kaua'i."

Section 206.0 is amended as follows:

The following paragraph is added before the definition "Department Having Jurisdiction."

Department - The Department of Public Works of the County of Kaua'i."

The following paragraph is added following the definition of "Drainage System."

Duly Licensed Plumber - Any person licensed as a plumber under the provisions of Chapter 448E, Hawai'i Revised Statutes."

Section 210.0 is amended as follows:

The following paragraph is added after the definition of "Hangers."

Health Officer - Health Officer shall mean the Director of Health of the department of health, State of Hawai'i, or the director's authorized agent."

Section 215.0 is amended as follows:

The following paragraph is added before the definition of "May."

Maintenance Work - The keeping in repair and operation of any plumbing installation, apparatus, fixtures, appliance or equipment."

Section 218.0 is amended as follows:

The seventh paragraph of Section 218.0 is amended to read:

Person - Any individual, firm, partnership, association, corporation or utility company including each and every owner of any whole or fractional interest in the property concerned, whether in fee, any lesser freehold or tenancy at will."

The following paragraph is added before the definition of "Plumbing Fixture."

Plumbing Contractor - Any person that is licensed under the provisions of Chapter 444, Hawai'i Revised Statutes, and possesses a valid unexpired and unrevoked license qualifying the contractor to perform plumbing work."

The following paragraph is added after the definition of "Single-Family Dwelling."

Single Stack Vent System - A specially designed plumbing system wherein a common stack serves as a drainage pipe as well as a vent pipe."

The following paragraph is added after the definition of "Standard."

State - The State of Hawai'i."

Section 310.4 is amended by deleting the last sentence: "Also, single-stack drainage and venting systems with unvented branch lines are prohibited."

Section 312.2 is amended by changing the second sentence to read:

"No piping shall be directly embedded in concrete or masonry unless provisions are made to protect the piping from damage resulting from expansion, contraction and structural settlement."

Section 312.3 is amended to read:

“**312.3** No building sewer or other drainage piping or part thereof, constructed of materials other than those approved for use under or within a building, shall be installed under or within five (5) feet (1.5m) of any building or structure, or less than one (1) foot (.3m) below the surface of the ground or as approved by the Administrative Authority.”

Section 313.8 is added to read:

“**313.8 Seismic Supports.** Where earthquake loads are applicable in accordance with the Building Code, plumbing piping supports shall be designed and installed for the seismic forces in accordance with the Building Code.”

Sections 403.1 through 403.4 Water-Conserving Fixtures and Fittings, and Section 408.2 (Showers) Water Consumption, are deleted in their entirety, and replaced with Section L 402 Water-Conserving Plumbing Fixtures and Fittings from Appendix L.

Section 403.5, Pre-Rinse Spray Valve, is amended to read:

“**403.5 Commercial Pre-Rinse Spray Valves.** The flow rate for a pre-rinse spray valve installed in a commercial kitchen to remove food waste from cookware and dishes prior to cleaning shall not be more than 1.3 gpm (0.08 L/s) at 60 psi (414 kPa). Where pre-rinse spray valves with maximum flow rates of 1.0 gpm (0.06L/s) or less are installed, the static pressure shall be not less than 30 psi (207 kPa). Commercial kitchen pre-rinse spray valves shall be equipped with an integral automatic shutoff.”

Sections 422.0 through 422.5, and Table 422.1 are deleted in their entirety, and replaced with Section 422.0 amended to read as follows:

“**422.0 Minimum Number of Required Fixtures.** Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number required in Chapter 29 of the International Building Code.”

Section 604.11 is amended to read:

“**604.11 Lead Content.** The maximum allowable lead content in pipes, pipe fittings, plumbing fittings, and fixtures intended to convey or dispense water for human consumption shall be not more than a weighted average of 0.25 percent with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures. For solder and flux, the lead content shall be not more than 0.2 percent where used in piping systems that convey or dispense water for human consumption. Exceptions:

- (1) Pipes, pipe fittings, plumbing fittings, fixtures, or backflow preventers used for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not used for human consumption.
- (2) Water closets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches (50 mm) in diameter or larger.

Section 710.1 is amended to read as follows:

“**710.1** Multiple separate structures discharging building sewage into a public or private sewer or septic system which have flood level rims below the elevation of the next connecting structures' flood rims; the drainage piping shall be protected from backflow by installing an approved backwater valve. Fixtures above such elevation shall not discharge through the backwater valve.”

Section 713.7, Installation, is amended to read as follows:

“**713.7 Permit Required.**

- (a) It shall be unlawful for any person to connect to or to aid another in connecting to, or to cause a connection to be made to, or to make use of, the public sewer system of the County of Kaua'i without first having filed an application in writing and having obtained the written approval of the

Division of Wastewater Management, Department of Public Works and the Administrative Authority.

(b) Sewer Inspection. All installation of public sewer system connections, control devices or assemblies required by the Division of Wastewater Management shall receive all its certifications, tests, inspections and approvals from that division.”

Section 713.8 is added to read:

“**713.8** Building sewer construction shall conform to the requirements for main line sewers as set forth in the Sewer Ordinance, County of Kaua’i, when either of the following conditions exist:

- (1) Where the Administrative Authority requires such construction because of the character or quantity of the sewage or industrial waste to be discharged.
- (2) Where the sewer construction is designed to be, or it is apparent that it may be dedicated to the County of Kaua’i at this or any future time.”

Section 713.9 is added to read:

“**713.9** Sewer lateral connections shall be installed according to the Kaua’i County Code-1987, Chapter 25, Sewers, Article 9, Laterals, Administration, Management and Construction.”

Section 715.1, Materials, is amended to read as follows:

“**715.1** The building sewer, beginning five (5) feet (1,524 mm) from any building or structure shall be of such materials as prescribed in this Code.”

Section 1101.11.1, Primary Roof Drainage, is amended to read as follows:

“**1101.11.1 Primary Roof Drainage.** Roof areas of a building shall be drained by roof drains or gutters. The location and sizing of drains and gutters shall be coordinated with the structural design and pitch of the roof. Unless otherwise required by the authority having jurisdiction, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a storm of sixty (60) minutes duration and 100 year return period. Refer to the National Weather Service rainfall map for 100-year, 60-minute storms at various locations.”

Table 1401.1 is amended by adding the following three rows of information immediately after Standard Number SAE-J1670-2008, and immediately before TCNA A118.10-2011, as follows:

Standard Number	Standard Title	Application	Referenced Sections
State of Hawai’i	State of Hawai’i PUC Residential Solar Water Heating Systems Standards	Solar Water Heating Systems	Various
State of Hawai’i – 2002	Water System Standards	Various	Various
State of Hawai’i – Rev. Sept. 2000	Standard Details for Public Works Construction	Various	Various]”

ARTICLE 2. ADOPTION OF THE 2018 UNIFORM PLUMBING CODE AND AMENDMENTS THERETO

Sec. 14-2.1 Adoption of the Uniform Plumbing Code.

(1) The “Uniform Plumbing Code, 2018 Edition,” including Appendices A, B, C, G, I, J, K, L, and M, and other portions of the Code only where specifically noted, as copyrighted and published by the International Association of Plumbing and

Mechanical Officials, 4755 East Philadelphia Street, Ontario, CA 91761-2816, is incorporated by reference and made a part of this Chapter. This incorporation by reference includes all above-referenced parts of the Uniform Plumbing Code subject to the amendments hereinafter set forth.

Sec. 14-2.2 Amendments to the Uniform Plumbing Code.

(1) The 2018 Uniform Plumbing Code Chapter 1, Administration, shall follow the provisions of Chapter 1 of the International Building Code, as amended, in Chapter 12 of the Kaua'i County Code 1987, as amended, except for the following Sections:

(a) Section 105.2.1 Emergency Repairs. Whenever it is necessary to make emergency repairs after normal working hours, on the weekend, or on holidays, the person doing the work shall apply for the proper permits at the Kaua'i County Building Division within two business days.

(b) Section 105.3.1.3 To Whom Plumbing Permits May Be Issued. A plumbing permit is required to perform work covered by this Code and will be issued only to:

(1) A Plumbing Contractor holding a valid unexpired license under HRS Chapter 444.

(2) A firm, partnership, association, or corporation other than a plumbing contractor doing work that includes incidental and supplemental plumbing work as defined by HRS Chapter 444 and who has under its employment a plumber holding a valid unexpired license that complies with the provisions set forth in HRS Chapter 448E.

(3) A Gas Utility Company for doing gas piping work.

(4) County, Federal, and State governments with agencies having under their employment a licensed plumber complying with the provisions set forth in HRS Chapter 448E.

(5) An owner who performs plumbing work on his or her own building or structure in compliance with HRS Chapter 444 and provided such homeowner is holding a valid unexpired license under HRS Chapter 448E.

(6) A person, firm, partnership, association or corporation holding a valid unexpired class "A" general engineering or class "C" specialty contractor license for work authorized by the provisions of HRS Chapter 444.

This does not preclude a homeowner who is licensed under HRS Chapter 448E to do plumbing maintenance work for buildings he or she owns.

(2) Table 104.5, Plumbing Permit Fees, is deleted in its entirety and replaced with the following:

Table 104.5
Plumbing Permit Fees

<u>For issuing each permit, an application fee of:</u>	<u>\$ 15.00</u>
<u>In addition:</u>	
<u>For each plumbing fixture or trap (including drainage and vent piping):</u>	<u>\$ 7.00</u>
<u>For installation, addition, alteration, demolition, removal, and repair of each building sewer or building drainage system, including the first 50 feet of drain and sewer lines:</u>	<u>\$ 20.00</u>
<u>For each additional foot of drain and sewer lines thereof:</u>	<u>\$ 1.00</u>
<u>For each industrial waste, grease, sand, or dirt interceptors and sewage ejector, including its trap and vent:</u>	<u>\$ 15.00</u>
<u>For installation, addition, alteration, or repair of water piping and/or water treating equipment:</u>	<u>\$ 7.00</u>

<u>For vacuum breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served:</u>	<u>\$ 15.00</u>
<u>For each vacuum breaker or backflow protective device installed to hosebibbs:</u>	<u>\$ 7.00</u>
<u>For each lawn sprinkler system on any one valve including backflow protection devices therefor:</u>	<u>\$ 15.00</u>
<u>For each electric, oil, gas, or solar water heater and/or vent:</u>	<u>\$ 7.00</u>
<u>For each new installation, addition, altering or repairing of gas piping system, house piping and/or exterior piping for lamps, luau torches and other misc. equipment:</u>	<u>\$ 15.00</u>
<u>For each gas appliance:</u>	<u>\$ 7.00</u>
<u>For medical gas piping first five inlet(s) or outlet(s):</u>	
<u>For a specific gas:</u>	<u>\$ 15.00</u>
<u>For each additional inlet or outlet:</u>	<u>\$ 2.00</u>
<u>For each swimming pool with drainage connection:</u>	<u>\$ 15.00</u>
<u>For any transferability of plumbing permit as herein provided, a transfer fee is required:</u>	<u>\$ 50.00</u>
<u>Reinspection fees assessed under provisions of Chapter 12, Section 109.4</u>	
<u>Reinspections:</u>	<u>\$ 50.00</u>
<u>For foundation work only, the first:</u>	
<u>10 plumbing fixtures:</u>	<u>\$ 15.00</u>
<u>For each additional plumbing fixture</u>	<u>\$ 2.00</u>
<u>For each gray water system:</u>	<u>\$ 15.00</u>

(3) Section 105.2.5.1 is added to read as follows:

105.2.5.1 Performance. When required pursuant to HRS Chapter 448E, a licensed plumber holding a valid license in compliance with HRS Chapter 448E shall be at the site at all times during the performance, direction or supervision of any plumbing work that is authorized by a permit. The enforcement for compliance with HRS Chapter 444 and HRS Chapter 448E shall be the responsibility of the State of Hawai'i.

(4) Section 206.0 is amended to add the following:

Duly Licensed Plumber. Any person licensed as a plumber under the provisions of Chapter 448E, Hawai'i Revised Statutes.

(5) Section 210.0 is amended to add the following:

Health Authority. The Health Authority shall mean the Manager of the Department of Water, County of Kaua'i or the Health Authority's authorized representative.

(6) Section 211.0 is amended to add the following:

IAPMO. The International Association of Plumbing and Mechanical Officials.

(7) Section 223.0 is amended to add the following:

UPC. The Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials.

(8) Sections 403.0, 403.1, 403.2 and 403.3 are deleted in their entirety.

(9) Section 414.3 is deleted in its entirety and replaced with the following:

414.3 Drainage Connection. Domestic dishwashing machines shall discharge indirectly through an air gap fitting in accordance with Section 807.3 into a wye branch fitting on the tailpiece of a kitchen sink, a dishwasher connection of a food waste disposer or an air break into a standpipe in accordance with Section 804.1. Commercial dishwashing machines shall discharge indirectly through an air break or direct connection. The indirect discharge for commercial dishwashing machines shall be in accordance with Section 807.1, and direct discharge shall be in accordance with Section 704.3.

(10) Section 507.13.1 is deleted in its entirety and replaced with the following:

507.13.1 Physical Damage. Appliances installed in garages, warehouses, or other areas subject to mechanical damage shall be guarded against such damage by being installed behind protective barriers such as bollards, or by being elevated or located out of the normal path of vehicles. The bollard or protective barrier must not encroach upon the serviceability of the unit, the gas line, the shutoff valve, the sediment trap, etc. and must not restrict or prevent full inspection, testing, cleaning, maintenance, or servicing, nor ready removal and/or replacement of the unit.

(11) Section 610.4 is deleted in its entirety and replaced with the following:

610.4 Sizing Water Supply and Distribution Systems. Systems within the range of Table 610.4 shall be permitted to be sized from that table or by the method in accordance with Section 610.5.

(12) Section 610.14 is added to read as follows:

610.14 Valves. Individual fixture shutoff valves shall be installed in accordance with Section 606.5.

(13) Section 610.15 is added to read as follows:

610.15 Installation. Tubing shall be not less than 12 inches (305 mm) vertically or 6 inches (152 mm) horizontally from sources of high heat unless protected by insulation or other approved methods. Tubing shall be installed to permit expansion and contraction. Hot and cold water piping shall be permitted to be bundled together provided that each individual hot water piping is insulated and permits movement. Tubing passing through drilled or notched metal studs or metal joists, or hollow-shell masonry walls shall be protected from abrasion by elastomeric or plastic sleeves or grommets.

(14) Section 713.8 is added to read as follows:

713.8 Building sewer construction. Building sewer construction shall conform to the requirements for main line sewers as set forth in the Sewer Ordinance, County of Kaua'i, when either of the following conditions exist:

(1) Where the Administrative Authority requires such construction because of the character or quantity of the sewage or industrial waste to be discharged.

(2) Where the sewer construction is designed to be, or it is apparent that it may be dedicated to the County of Kaua'i at this or any future time.

(15) Section 713.9 is added to read as follows:

713.9 Sewer lateral connections. Sewer lateral connections shall be installed according to the Kaua'i County Code-1987, Chapter 25, Sewers, Article 9, Laterals, Administration, Management and Construction.

(16) Section 715.1 is deleted in its entirety and replaced with the following:

715.1 Materials. The building sewer, beginning five (5) feet (1,524 mm) from any building or structure shall be of such materials as prescribed in this Code.

(17) Section 909.1 is deleted in its entirety and replaced with the following:

909.1 General. Traps for island sinks and similar equipment shall be roughed in above the floor and shall be permitted to be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye branch immediately below the floor and extending to the nearest partition and then through the roof to the open air, or shall be permitted to be connected to other vents at a point not less than 6 inches (152 mm) above the flood-level rim of the fixtures served. Drainage fittings shall be used on the vent below the floor level, and a slope of not less than ¼ inch per foot (20.8 mm/m) back to the drain shall be maintained. The return bend under the drainboard shall be two (2) inches in pipe size, a one-piece fitting or assembly of a forty-five (45) degree (0.79 rad), a ninety (90) degree (1.6 rad) and a forty-five (45) degree (0.79 rad) elbow in the order named. Pipe sizing shall be as elsewhere required in this code. The island sink drain, upstream of the returned vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

(18) Section 1007.2 is deleted in its entirety and replaced with the following:

1007.2 Trap Seal Primers. Potable water supply trap seal primer valves shall comply with ASSE 1018. Drainage and electronic design type trap seal primer devices shall comply with ASSE 1044. Installation instructions for barrier type floor drain trap seal protection devices shall not state or imply that the device may be used in lieu of a trap primer. These devices shall be installed with other IAPMO R&T listed fittings, in accordance with the manufacturer's instructions, and the requirements of the latest edition of the Uniform Plumbing Code.

(19) Section 1210.2.2.1 is amended by adding the following sentence at the end of the paragraph:

Automatic solenoid or manual shut-off valves shall be installed not more than six feet above the finished floor level.

(20) Table 1701.2 is amended by adding the following entries:

<u>Number</u>	<u>Title</u>	<u>Application</u>
<u>State of Hawai'i – Rev. Sept. 2000</u>	<u>Standard Details for Public Works Construction</u>	<u>Various</u>
<u>State of Hawai'i – 2002</u>	<u>Water System Standards</u>	<u>Various</u>

(21) Section 14.3.1 is deleted in its entirety and replaced with the following:

Sec. 14-3.1 General Provisions.

(a) Statutory Authority. This Article is enacted pursuant to the U.S. National Flood Insurance Act of 1968 (Public Laws 90-418 and 91-152), as amended, and the U.S. Flood Disaster Protection Act of 1973 (Public Law 93-234), as amended. In addition, the Legislature of the State of Hawai'i has in Hawai'i Revised Statutes Section 46-1.5 and Section 46-11 authorized the counties to enact ordinances to promote health and safety and to qualify, participate, and apply for flood insurance coverage under the National Flood Insurance Program.

(b) Lands Subject to this Article. This Article shall apply to all areas of special flood hazards identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Kaua'i County, Hawai'i," dated February 26, 2021, with accompanying Flood Insurance Rate Maps and any subsequent revisions and amendments to such study and maps, which are adopted by reference as a part of this Article; and lands outside the identified special flood hazard areas encompassing and adjacent to a river, stream, stormwater channel, outfall area, or other inland water or drainage facility determined by the County Engineer to be subject to special flood hazards. The different special flood hazard areas are as follows:

- (1) Flood fringe – AE, AO, and AH zones.
- (2) Floodway.
- (3) Coastal high hazard – VE zones.
- (4) General floodplain – A, X, and D zones.
- (5) Land adjacent to drainage facility.

(c) Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Article and other applicable regulations.

(d) Other Laws and Regulations. All construction and improvements subject to this Article shall comply with other applicable laws and regulations including, but not limited to, the Comprehensive Zoning Ordinance, Building Code, Electrical Code, Plumbing Code, Subdivision Ordinance, and Sediment and Erosion Control Ordinance. This Article, designed to reduce flood losses, shall take precedence over any less restrictive, conflicting laws, ordinances, and regulations.

(e) Interpretation. In the interpretation and application of this Article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the County; and
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

(22) Section 14-3.3 (d) is deleted in its entirety and replaced with the following:

(d) All pipe openings through exterior walls below the base flood elevation shall be flood proofed per ASCE 24 to prevent infiltration of flood water through spaces between pipes and wall construction materials by use of imbedded collars, sleeves, water stops, or other means as may be approved by the administrative authority.

(23) Section 14-3.4 is deleted in its entirety and replaced with the following:

Sec. 14-3.4 Private Sewage Disposal/Treatment.

Individual private sewage disposal systems or treatment facilities may be permitted in a special flood hazard area when the design and location of such systems are approved by the Department of Health, State of Hawai'i. In addition to the Administrative Rules, Department of Health, State of Hawai'i, all such new and replacement sewage disposal systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(24) Section 14-3.5 is deleted in its entirety and replaced with the following:

Sec. 14-3.5 Water Supply.

Potable water supply systems that are located in a special flood hazard area or in other floodway or flood fringe area shall be designed and installed in such a manner as to prevent contamination from flood waters up to at least one (1) foot above the base flood elevation. Location and construction of private water supply wells shall comply with the rules and regulations of the Department of Water, County of Kaua'i, and the Commission on Water Resource Management.

(a) Potable water supply tanks, filters, softeners, and all water-supplied appliances and fixtures shall be elevated to at least one (1) foot above the base flood elevation. All vent pipes serving the water supply system shall terminate at an elevation of at least one (1) foot above the base flood elevation.

(b) Backflow preventers or devices approved by the Department of Water shall be installed on water service lines as close to the property control valve as possible to protect the public water system from backflow or back siphonage of flood waters or other contaminants in the event of a line break. Whenever a backflow prevention assembly is located five feet or more from the water meter, a concrete jacket between the water meter and backflow prevention assembly is required to avoid potential cross connection. At no time shall the bottom of the backflow prevention assembly be less than 12" above ground, floor, or flood level nor more than 48" above the aforementioned grades. Refer to Water System Standards, State of Hawai'i 2002 for additional requirements. Backflow preventers or [D]devices shall be installed at accessible locations and shall be maintained in good working condition by the owner. The backflow preventers or devices shall be subject to periodic testing and inspection as prescribed in the Rules and Regulations of the Department of Water, County of Kaua'i.

(c) All pipes in a plumbing vent system shall terminate at an elevation of at least one (1) foot above the base flood elevation.

(d) All pipe openings through exterior walls below the base flood elevation shall be flood proofed to prevent infiltration of flood water through spaces between pipes and wall construction materials by use of imbedded collars, sleeves, water stops, or other means as may be approved by the administrative authority."

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 3. Material to be deleted is bracketed. New material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 4. This Ordinance shall take effect upon the date of approval.

Introduced by: /s/ BILL DECOSTA
(By Request)

DATE OF INTRODUCTION:

March 23, 2022

Lihu'e, Kaua'i, Hawai'i

V:\BILLS\2020-2022 TERM\Bill No. 2853 BD_AMK_ks.docx

CERTIFICATE OF THE COUNTY CLERK

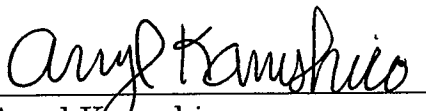
I hereby certify that heretofore attached is a true and correct copy of Bill No. 2853 which was adopted on second and final reading by the Council of the County of Kaua'i at its meeting held on May 18, 2022, by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kaneshiro	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kuali'i	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i
May 18, 2022


Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

ATTEST:

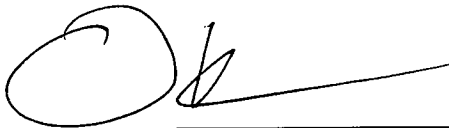


Arryl Kaneshiro
Chairman & Presiding Officer

DATE OF TRANSMITTAL TO MAYOR:

May 18, 2022

Approved this 19th day of
May, 2022.



Derek S.K. Kawakami,
Mayor
County of Kaua'i