Intent and Enforceability in the Plumbing Code

Code: 2012 NC Plumbing Code   **Date:** November 14, 2013
Section: 101.3

Question:
Can manufacturer's recommendations be enforced by code officials?

Answer:
The protection of the public's health, welfare and safety are always the first priority and intent of the plumbing code. Code requirements that are enforceable are mandated in imperative terms such as "shall", "shall be", "shall have", "must", "use (verb as a directive)", "will", "will be", "required" and "must". Code wording in passive terms such as "recommend", "recommended", "should", "would", "could", "could be", "may", "may be", "can" or "can be" can be offered as suggestions or recommendations but are not enforceable. Manufacturer's recommendations can only be enforced if their use is specifically required by the plumbing code in imperative terms. Examples of this can be found in the following sections. (this list is not all-inclusive)

308.7.1 Location "….and other methods specified as suitable by the coupling manufacturer shall be utilized."
425.3.2 Overflows in flush tank "…shall be sized…. according to the manufacturer's design conditions."
504.5 Relief valve approval "….shall have a…pressure setting not exceeding the….manufacturer's rated working pressure or 150 psi….."
604.9 Water hammer "……shall be installed in accordance with the manufacturer's specifications."
605.19.1 Flared joints "...shall be permitted where so indicated by the pipe manufacturer."
611.3 Connection tubing. " shall be of a size and material as recommended by the manufacturer."
802.4 Standpipes. "…..shall extend 34 inches minimum….unless recommended otherwise by the manufacturer."
803.5 Acid Soil and waste piping. "…..piping shall be of a material which is designed and recommended by the manufacturer as suitable for the type of waste…"

Keywords:
Enforce, imperative