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07.02.07 – Rules Governing Civil Penalties

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**IDAPA 07
TITLE 02
CHAPTER 07**

07.02.07 – RULES GOVERNING CIVIL PENALTIES

000. LEGAL AUTHORITY.

The Idaho Plumbing Board is authorized under Section 54-2606(3)(e), Idaho Code, to establish by administrative rule the civil penalty to be paid for citations issued. (3-24-05)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 07.02.07, “Rules Governing Civil Penalties,” Division of Building Safety. (3-24-05)

02. Scope. These rules establish the criteria and amount of civil penalties to be levied for violations of Title 54, Chapter 26, Idaho Code, and IDAPA 07.02.07, “Rules Governing Civil Penalties,” Division of Building Safety. (3-24-05)

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter. (3-24-05)

003. ADMINISTRATIVE APPEALS.

Upon notice of a civil penalty, the notified party shall within ten (10) days comply with the penalty or file a written request for a hearing for appeal with the Idaho Plumbing Board. Bond in the amount of the penalty shall accompany the request for hearing. (3-24-05)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-24-05)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division of Building Safety, Plumbing Program is at the Division office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Plumbing Program may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho 83814, and at 2055 Garrett Way, Suite 7, Pocatello, Idaho 83201. All locations are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. The central mailing address is: Division of Building Safety, 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. (3-29-12)

006. -- 010. (RESERVED)

011. CIVIL PENALTIES.

The following acts shall subject the violator to penalties based on the following schedule. (3-24-05)

01. Plumbing Contractor. Except as provided by Section 54-2602, Idaho Code, any person who acts, or purports to act as a plumbing contractor, as defined by Section 54-2611(a), Idaho Code, without a valid Idaho state certificate of competency authorizing him to do so shall be subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-24-05)

02. Certification or Registration. Except as provided by Section 54-2602, Idaho Code, any person performing plumbing as defined in Section 54-2603, Idaho Code, without an appropriate certificate of competency or registration shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-24-05)

03. Failure to Disclose. Any applicant for a plumbing registration or certificate of competency who upon request fails to disclose any required information including, but not limited to, their complete licensure history or the fact that they have been previously licensed as a journeyman or master plumber in any recognized jurisdiction shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty

of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-29-12)

04. Performance Outside Scope of Certificate. Any specialty contractor or specialty journeyman performing plumbing installations, alterations or maintenance outside the scope of the specialty certificate of competency shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-24-05)

05. Fees, Permits and Inspections. Any person failing to obtain a required permit, pay applicable fees, properly post a plumbing permit, or request an inspection of all pipes, fittings, valves, vents, fixtures, appliances, appurtenances, and water treatment installations and repairs shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand (\$1,000) for each offense thereafter. (3-29-17)

06. Corrections. Any person who fails to make corrections in the time allotted in the notice on any plumbing installation as set forth in Section 54-2625, Idaho Code, shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-29-17)

07. Gross Violation. In the case of continued, repeated or gross violation of Title 54, Chapter 26, Idaho Code, or IDAPA 07.02.07, disciplinary action shall be initiated against certificate holders under this chapter or the matter shall be referred for prosecution. (3-24-05)

08. Judicial Review. Any party aggrieved by the final action of the Idaho Plumbing Board shall be entitled to a judicial review thereof in accordance with the provisions of Title 67, Chapter 52, Idaho Code. (3-24-05)

012. -- 999. (RESERVED)

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