



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
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Issuance #380

OPERATIONS
POLICY & PROCEDURE NOTICE #24/92

TO: Distribution
FROM: Rudolph J. Rinaldi, R.A.
DATE: December 1, 1992
SUBJECT: Low Flow Water Fixtures

Purpose: To advise the public whether a licensed plumber is required when replacing non-low flow water fixtures with low flow water fixtures pursuant to Local Law 29/89.

Supercedes: Letter from Charles Sturcken dated June 4, 1992

Specifics: Section 27-896 of the Code referring to plumbing work states that "all installations, alterations, repairs and maintenance work shall be performed by or under the direct supervision of a licensed plumber, except the following:

- (A) Minor alterations and ordinary repairs as defined and delimited in article five of Subchapter 1 of this Chapter."

That article defines "minor alteration" as "minor changes or modifications in a building" (Sec. 27-124) and "ordinary repairs" as "replacement or renewals of existing work ... with the same or equivalent materials" (Sec. 27-125). To qualify as either a "minor alteration" or an "ordinary repair" the work cannot affect the health, fire or structural safety of the building. In addition, the article, specifically prohibits "additions," "alterations," "rearrangements," "relocations" and/or "removal" of water distribution or house sewer systems from the definition of a "minor alteration" or "ordinary repair".

The Code is quite clear that "replacement" of existing work with the same or equivalent material is an "ordinary repair." The Code is also quite clear that certain types of plumbing work (i.e., "rearrangement," "relocation," "removal") are excluded from the definition of "ordinary repairs." "Replacement" of items is not on the clearly defined list of items excluded from the ordinary repair definition. Therefore, the "replacement" of plumbing fixtures that do not affect the health, fire or structural safety of buildings is an "ordinary repair."

The "replacement" of an existing non-low flow water fixture with a low flow fixture does not affect the health, fire or structural safety of a building and is an ordinary repair. As such, it need not be performed by a licensed master plumber.

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