

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 221

Introduced by Wayne, 13.

Read first time January 11, 2021

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to plumbing codes; to amend section 18-1915,
2 Reissue Revised Statutes of Nebraska, and sections 18-132 and
3 23-172, Revised Statutes Cumulative Supplement, 2020; to provide for
4 the applicability of the 2021 Uniform Plumbing Code in certain
5 cities, villages, and counties; to eliminate duplicative provisions;
6 to harmonize provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-132, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 18-132 (1) The city council of any city or village board of any
4 village may adopt by ordinance the conditions, provisions, limitations,
5 and terms of a plumbing code, an electrical code, a fire prevention code,
6 a building or construction code, and any other standard code which
7 contains rules and regulations printed as a code in book or pamphlet
8 form, by reference to such code, or portions thereof, alone, without
9 setting forth in the ordinance the conditions, provisions, limitations,
10 and terms of such code. When any such code, or portion thereof, has been
11 incorporated by reference into such ordinance, as provided in this
12 section, it shall have the same force and effect as though it had been
13 written in its entirety in such ordinance without further or additional
14 publication thereof.

15 (2) Not less than one copy of such standard code, or portion
16 thereof, shall be kept for use and examination by the public in the
17 office of the city or village clerk prior to the adoption thereof and as
18 long as such standard code is in effect in such city or village.

19 (3) Any building or construction code implemented under this section
20 shall be adopted and enforced as provided in section 71-6406.

21 (4) If there is no ordinance adopting a plumbing code in effect in a
22 city or village, the 2021 ~~2009~~ Uniform Plumbing Code designated
23 ~~accredited~~ by the American National Standards Institute as an American
24 National Standard shall serve as the plumbing code for all the area
25 within the jurisdiction of the city or village. Nothing in this section
26 shall be interpreted as creating an obligation for the city or village to
27 inspect plumbing work done within its jurisdiction to determine
28 compliance with the plumbing code.

29 Sec. 2. Section 18-1915, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 18-1915 The State of Nebraska shall permit cities and villages to

1 collect permit fees and inspect all sanitary plumbing installed or
2 repaired, except for a single-family dwelling or a farm or ranch
3 structure, within the State of Nebraska outside of the zoning
4 jurisdiction of cities and villages. The city or village nearest the
5 construction site shall have jurisdiction to collect such permit fees and
6 conduct the inspection of the sanitary plumbing. If the city or village
7 has a plumbing ordinance in force and effect, such ordinance will govern
8 the installation of the sanitary plumbing. If there is no city ordinance
9 in effect for such city or village, the 2021 ~~2009~~ Uniform Plumbing Code
10 designated ~~accredited~~ by the American National Standards Institute as an
11 American National Standard shall apply to all buildings except single-
12 family dwellings and farm and ranch structures.

13 ~~Any code or ordinance enacted by a city or village which is at least~~
14 ~~equal to the 2009 Uniform Plumbing Code accredited by the American~~
15 ~~National Standards Institute shall take preference over the provisions of~~
16 ~~the immediately preceding sentence.~~

17 Sec. 3. Section 23-172, Revised Statutes Cumulative Supplement,
18 2020, is amended to read:

19 23-172 (1) The county board may adopt by resolution, which shall
20 have the force and effect of law, the conditions, provisions,
21 limitations, and terms of a building or construction code, a plumbing
22 code, an electrical code, a fire prevention code, or any other code
23 relating to building or relating to the erection, construction,
24 reconstruction, alteration, repair, conversion, maintenance, placing, or
25 using of any building, structure, automobile trailer, house trailer, or
26 cabin trailer. For this purpose, the county board may adopt any standard
27 code which contains rules or regulations printed as a code in book or
28 pamphlet form by reference to such code or portions thereof without
29 setting forth in the resolution the conditions, provisions, limitations,
30 or terms of such code. When such code or any such standard code or
31 portion thereof is incorporated by reference into such resolution, it

1 shall have the same force and effect as though it had been written in its
2 entirety in such resolution without further or additional publication.

3 (2) Not less than one copy of such code or such standard code or
4 portion thereof shall be kept for use and examination by the public in
5 the office of the clerk of such county prior to the adoption thereof and
6 as long as such standard code is in effect in such county.

7 (3) Any building or construction code implemented under this section
8 shall be adopted and enforced as provided in section 71-6406.

9 (4) If there is no county resolution adopting a plumbing code in
10 effect for such county, the 2021 ~~2009~~ Uniform Plumbing Code designated
11 ~~accredited~~ by the American National Standards Institute as an American
12 National Standard shall apply to all buildings.

13 (5) Any code adopted and approved by the county board, as provided
14 in this section, or if there is no county resolution adopting a plumbing
15 code in effect for such county, the 2021 ~~2009~~ Uniform Plumbing Code
16 designated ~~accredited~~ by the American National Standards Institute as an
17 American National Standard, and the building permit requirements or
18 occupancy permit requirements imposed by such code or by sections
19 23-114.04 and 23-114.05, shall apply to all of the county except within
20 the limits of any incorporated city or village and except within an
21 unincorporated area where a city or village has been granted zoning
22 jurisdiction and is exercising such jurisdiction.

23 (6) Nothing in this section shall be interpreted as creating an
24 obligation for the county to inspect plumbing work done within its
25 jurisdiction to determine compliance with the plumbing code.

26 Sec. 4. Original section 18-1915, Reissue Revised Statutes of
27 Nebraska, and sections 18-132 and 23-172, Revised Statutes Cumulative
28 Supplement, 2020, are repealed.