

**Title 12 – Building and Construction**  
**Chapter 2 – Swinomish Plumbing Code**

**Sec.**

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**Legislative History**

Enacted:

Building and Construction, Ord. 222 (10/5/04), BIA (10/15/04).

Repealed or Suspended:

Building and Construction, Ord. 178 (9/5/03), BIA (9/12/03).

Adopting the Uniform Plumbing Code, Ord. 135 (5/4/99), BIA (8/11/99).

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**12-02.010 Title.**

This Chapter shall be known as the “Swinomish Plumbing Code.”

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 135 (5/4/99).

**12-02.020 Purpose.**

The purpose of the Swinomish Plumbing Code is to

- (1) regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of any plumbing system on the Reservation;
- (2) provide for the issuance of permits and collection of fees therefore; and
- (3) provide penalties for violations of the Swinomish Plumbing Code.

[History] Ord. 222 (10/5/04).

**12-02.030 Authority.**

This Chapter is enacted pursuant to authority provided by Article VI, Sections 1(h), (k)(1), (l), (r) and (s) of the Swinomish Constitution, as most recently amended.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 135 (5/4/99).

**12-03.040 Jurisdiction.**

Tribal jurisdiction over the activities subject to this Chapter shall extend to all lands and waters within the exterior boundaries of the Swinomish Indian Reservation to the maximum extent permitted by law.

[History] Ord. 222 (10/5/04).

**12-02.050 Construction.**

In the event of a conflict between the provisions of this Chapter and the provisions of any other Title, Chapter, or Section of this Code, the provisions of this Chapter shall control.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03).

**12-02.060 Definitions.**

(A) Unless explicitly stated otherwise, the following words and phrases, as they are used in this Chapter, shall have the following meanings:

- (1) **“Code”** means the Swinomish Tribal Code.
- (2) **“Planning Department”** means the Office of Planning and Community Development of the Swinomish Indian Tribal Community.
- (3) **“Reservation”** means all lands and waters within the exterior boundaries of the Swinomish Indian Reservation.
- (4) **“UPC”** means the Uniform Plumbing Code.

(B) All other words and phrases shall have their ordinary and customary meanings.

[History] Ord. 222 (10/5/04).

**12-02.070 Adoption of the Uniform Plumbing Code.**

With the exception of those sections which conflict with Chapter 12-01-Swinomish Building Code, the Senate hereby adopts and incorporates as tribal law as if fully set out herein the following:

- (B) The Uniform Plumbing Code, 2003 Edition, published by the International Association of Plumbing and Mechanical Officials;
- (B) Appendices A, B and I to the Uniform Plumbing Code; and
- (C) the Washington State amendments, codified as Chapter 51-56 WAC and Chapter 51-57 WAC.

which together shall constitute the Swinomish Plumbing Code.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 135 (5/4/99).

**12-02.080 Amendments to the Uniform Plumbing Code.**

[Reserved]

**12-02.090 Public Inspection.**

Copies of the Swinomish Plumbing Code shall be placed on file in the Planning Department where they shall be available for public review and copying during business hours, subject to reasonable administrative costs and restrictions.

[History] Ord. 222 (10/5/04).

**12-02.100 Repealer.**

This Chapter repeals and supersedes Ordinance 178.

[History] Ord. 222 (10/5/04).

**12-02.110 Severability.**

If any section, subsection, sentence, clause, or phrase of this Chapter is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 135 (5/4/99).

**12-02.120 Effective Date.**

This Chapter shall become effective immediately upon approval by the Secretary of the Interior or his or her designee.

[History] Ord. 222 (10/5/04); Ord. 178 (9/5/03); Ord. 135 (5/4/99).