

## Chapter 447

### Plumbing Code; Burial Structures; Structural Standards

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ATTY. GEN. OPINIONS: Applicable mobile home sanitary regulation, (1971) Vol 35, p 619.

#### 447.010 to 447.090

ATTY. GEN. OPINIONS: Board regulations as superseding city and home rule county regulations, (1969) Vol 34, p 884; effect of higher state regulations, (1970) Vol. 35, p 79:

#### 447.010

ATTY. GEN. OPINIONS: Definition of plumbing as applying to the plumbing code only, 1962-64, p 384; application to installation of sprinkler systems, 1964-66, p 57; construing "work," (1970) Vol 35, p 79.

#### 447.020

ATTY. GEN. OPINIONS: Application to installation of sprinkler systems, 1964-66, p 57; board regulations as superseding city and home rule county regulations, (1969) Vol 34, p 884; effect of higher state regulations, (1970) Vol 35, p 79.

#### 447.030

#### NOTES OF DECISIONS

Failure of a lien claimant to allege his registration defeats his right to enforce such claim of lien unless the objection is waived. *Lorenz Co. v. Gray*, (1931) 136 Or 605, 298 P 222, 300 P 949.

The objection that a lien claimant fails to allege in his answer and cross-complaint that he is registered in compliance with this statute is waived by failure to demur. *Id.*

ATTY. GEN. OPINIONS: Registration of purchaser or transferee of plumbing business, 1936-38, p 470; operation of two shops under one license, 1938-40, p 27; city permit to conduct plumbing business as restricted to those licensed by board of health, 1938-40, p 63; applicability to housing project of the United States constructed on its property, 1940-42, p 498; applicability to federal defense housing project, 1940-42, p 574; registering of dealers of gas and electric hot water heaters, automatic washing machines and other appliances connected to water pipes, 1946-48, p 258.

#### 447.060

ATTY. GEN. OPINIONS: Right of owner of a building, who is not a registered plumber, to engage in plumbing work upon his own premises and employ another who is not a registered plumber, without violating statute, 1924-26, p 497;

plumbing work by engineer of state institution as a violation of statute, 1924-26, p 578; employment of owners of property as not exempt from statute requiring certificate of competency, 1934-36, p 479; licenses necessary to authorize school district and state college to install plumbing, 1934-36, p 482; when owner and workman may install plumbing in building, 1938-40, p 728.

#### 447.070

#### NOTES OF DECISIONS

Failure of a lien claimant to allege his registration in compliance with statutory provisions defeats his right to enforce such claim of lien under this section unless the objection is waived. *Lorenz Co. v. Gray*, (1931) 136 Or 605, 298 P 222, 300 P 949.

#### 447.080

ATTY. GEN. OPINIONS: Adoption by cities of uniform regulations conforming with the state plumbing code and effect of amendment to, or repeal of, state law adopted by reference as a city ordinance, 1936-38, p 666; adoption of septic tank regulations, 1962-64, p 391; board regulations as superseding city and home rule county regulations, (1969) Vol 34, p 884; determining validity of local regulations, (1970) Vol 35, p 79; applicable mobile home sanitary regulation, (1971) Vol 35, p 619.

#### 447.110 to 447.140

ATTY. GEN. OPINIONS: Board regulations as superseding city and home rule county regulations, (1969) Vol 34, p 884; effect of higher state regulations, (1970) Vol 35, p 79.

#### 447.110

#### NOTES OF DECISIONS

Misrepresentation as to compliance with statute, when the facts were within knowledge of maker but not recipient, was a misrepresentation of fact and actionable. *Sorenson v. Gardner*, (1959) 215 Or 255, 334 P2d 471.

ATTY. GEN. OPINIONS: Subsection (5) as authorizing State Board of Health to permit additional types of plumbing materials, (1970) Vol 35, p 79.

#### 447.120

#### NOTES OF DECISIONS

Misrepresentation as to compliance with statute, when the facts were within knowledge of maker but not recipient, was a misrepresentation of fact and actionable. *Sorenson v. Gardner*, (1959) 215 Or 255, 334 P2d 471.