Hud

August 22, 1969

Mr. Edward H. Baxter, Regional Administrator
Department of Housing and Urban Development
Room 645, Peachtree-Seventh Building
Atlanta, Georgia 30323

Dear Mr. Baxter:

A question has arisen regarding the correct interpretation of Section 114 of Atlanta's Official Plumbing Code.

Prior to December 20, 1966, Section 114 required the exclusive use of wiped lead stubs for floor outlet water closets and urinals. At about that time HUD made a study of the Plumbing Code and in the interest of modernization recommended that the City amend numerous provisions, including Section 114.

I have been informed that the revision of Section 114 recommended by HUD followed verbatim the corresponding provision of the Southern Standard Plumbing Code. As amended, Section 114 reads as follows:

> Sec. 114. Fixture connections between drainage pipes and water closets, Floor-outlet service sinks, pedestal urinals, and earthenware trap standards shall be made by means of brass, hard-lead or iron flanges, calked, soldered or screwed to the drainage pipe. The connection shall be bolted, with an approved gasket or washer or setting compound between the earthenware and the connection. The use of commercial putty or plaster is prohibited.

Since Section 114 provides that "the floor flange shall be set on an approved firm base", one contention is that the choice of "brass, hard-lead or iron flanges, calked, soldered, or screwed to the drainage pipe" applies only to a slab on grade, which constitutes "an approved firm base". Under that theory Section 114 does not permit a choice of the three materials on floors above a slab on grade because such other floors do not necessarily constitute "an approved firm base".

Under that view of Section 114 it would be permissible to restrict such joints on floors above slab on grade to wiped lead stubs.

The opposing interpretation is that the purpose of the amendment of Section 114 in December, 1966, was to permit the choice of "brass, hard-lead or iron flanges, calked, soldered, or screwed to the drainage pipe" and that the express language of the Section is such as to permit such choice. Under that construction the phrase "an approved firm base" applies equally to all of the materials and not just to those other than lead.

The question has, therefore, been raised as to whether, under Section 114, the engineer or plumbing contractor is restricted on floors above slab on grade to wiped lead stubs or has a choice on such floors of using "brass, hard-lead or iron flanges, calked, soldered or screwed to the drainage pipe". Since HUD was instrumental in bring about the enactment of Section 114 in its present form, the City would like to know what HUD regards as the correct answer to that question.

In addition to the correct interpretation of Section 114, it will be helpful if HUD will expeess its judment as to what the code ought to provide on this point, entirely apart from the present language of Section 114, in order to encourage the construction of low-rent, low-cost housing without lowering reasonable standards of safety and durability.

Your help on these matters will be very much appreciated.

Sincerely,

Dan E. Sweat, Jr.
Chief Administrative Officer

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