

Appeal of Suspension of City Plumbing Contractor's Registration for Vargo Plumbing & Utilities Plumbing Contractor



**Council Presentation
October 27, 2020**



Timeline

- On July 16, 2020, Vargo Plumbing & Utilities submitted a water tap application to Development Services Department. Development Services determined there was no building permit associated with the address.
 - On July 30, 2020, Senior Inspection staff visited the property, obtained photographic documentation, and issued a Stop Work Order directing the Owner to stop all work and submit construction plans for City review, approval, and permitting.
 - On August 14, 2020, pursuant to the Section 14-206 of the Corpus Christi Code, the Building Official suspended Vargo Plumbing & Utilities Contractor's Registration for a term of 6 months for acts of gross negligence, incompetency, or misconduct in the performance of plumbing work.
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Timeline

- On August 28, 2020, Vargo Plumbing & Utilities, Inc. provided a written notice to appeal the decision of the Building Official.
 - On September 17, 2020, after the hearing on the appeal, the Construction Trade Advisory and Appeal Board upheld the 6-month suspension of Vargo Plumbing & Utilities, Inc. Plumbing Contractor's Registration.
 - On September 24, 2020, an appeal was filed at the City Secretary's office by Vargo Plumbing & Utilities of the Board's decision to uphold suspension.
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Suspension of Plumber's Registration

- The Building Official found that Vargo Plumbing & Utilities, Inc installed plumbing systems for multiple multifamily commercial structures and allowed portions of those structures to be occupied by the public without City approved plans, permits, and inspections. This created an unacceptable safety risk to building occupants and to the general public.
 - The Building official suspended Vargo Plumbing & Utilities Plumbing Contractor's Registration for a term of 6 months for acts of gross negligence, incompetency, or misconduct in the performance of plumbing work.
 - The Construction Trade Advisory and Appeal Board (Board) upheld 6-month suspension of Contractor's Registration.
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City's Response to Appellants Appeal

City Staff supports the decision of the Building Official and the Construction Trade Advisory and Appeal Board.

- We conclude Vargo Plumbing & Utilities, Inc installed the plumbing systems for multiple multifamily commercial structures and allowed portions of those structures to be occupied by the public without City approved plans, permits, and inspections. This created an unacceptable safety risk to building occupants and to the general public
 - These actions constitute gross negligence and misconduct by registered Plumbing Contractor and warrant the suspension of Vargo Plumbing & Utilities, Inc City Plumbing Contractor registration for a period of six (6) months.
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FINAL ACTION

City Council may:

- **Deny the Appeal**

Vargo Plumbing and Utilities, Inc. serves 6-month suspension; such suspension ending April 6, 2021.

- **Modify the Board's Decision**

Plumbing Contractor's Registration may be suspended up to one year, or

Plumbing Contractor's Registration may be revoked for a term between one and three years.

- **Set Aside the Board's Decision**

Set aside Board's decision and no suspension or revocation.
