



2013 Green Building Standards Code Non-Compliant Plumbing Fixture Replacement Requirements

Effective January 1, 2014

2013 California Green Building Code 301.1.1

Effective January 1, 2014 all residential buildings undergoing permit alteration, additions, or improvements shall replace non-compliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of final completion, certificate of occupancy, or final permit approval by the local Building Department. See Civil Code Section 1101.1, et seq. for the definition of a non-compliant plumbing fixture, types of residential buildings affected and important enactment dates. **Applies to all structures finalized prior to January 1st, 1994.**

Civil Code Section 1101.3(c)

"Noncompliant plumbing fixture means"

- (1) Any toilet manufactured to use more than 1.6 gallons of water per flush.
- (2) Any urinal manufactured to use more than one gallon of water per flush.
- (3) Any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute.
- (4) Any interior faucet that emits more than 2.2 gallons of water per minute.



Bathroom Faucets: _____ qty

Shower / Bathtub: _____ qty

Toilets / Urinals: _____ qty

Kitchen & all Other Faucets: _____ qty

I hereby certify that I have replaced or tested, or have had an individual under my direction replace or test all plumbing fixtures, covered by Civil Code Section 1101.3(c) for the address and permit number listed below:

Address: _____

Permit Number: _____

Property Owner's or Contractor's Name

Date

Signature Owner or Contractor

Date



December 3, 2013

INFORMATION BULLETIN 2013-07 (SHL)

TO:
Local Code Enforcement Agencies
Interested Parties
State Agencies and Departments
Division Staff

SUBJECT: Senate Bill 407 (Padilla, Chapter 587, Statutes of 2009)
Water Conservation

The purpose of this Information Bulletin is to inform local code enforcement agencies, interested parties, State Agencies and Departments of changes made to the California Civil Code by Senate Bill 407 (Padilla, Chapter 587, Statutes of 2009). These changes promote the continued effort to increase water conservation throughout the State by requiring the replacement of existing plumbing fixtures with water-conserving plumbing fixtures.

Background

Since 1994, State law has required that only water-conserving water closets and urinals be sold or installed in California. In 2009, the Governor approved Senate Bill 407 (SB 407). This bill amended California Civil Code, Sections 1101.1 through 1101.8, and established requirements relating to the replacement of noncompliant plumbing fixtures, as defined, with water-conserving plumbing fixtures in residential real properties built and available for use or occupancy on or before January 1, 1994.

Important Dates

The following is a summary of important dates:

- **January 1, 2014:** For alterations or improvements to single-family residential real property, as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department, the permit applicant shall replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures.
- **January 1, 2014:** For additions, alterations or improvements to any multifamily residential real property, hotels and motels, as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department, the permit applicant shall replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures. Refer to California Civil Code, Section 1101.5(d) for specific circumstances and requirements.

- **January 1, 2017:** All noncompliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water-conserving plumbing fixtures.
- **January 1, 2019:** All noncompliant plumbing fixtures in any multifamily residential real property, hotels and motels, shall be replaced by the property owner with water-conserving plumbing fixtures.

Noncompliant and Compliant Plumbing Fixtures
SB 407 defines "noncompliant plumbing fixture" as:

- (1) Any toilet manufactured to use more than 1.6 gallons of water per flush.
- (2) Any urinal manufactured to use more than 1 gallon of water per flush.
- (3) Any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute.
- (4) Any interior faucet that emits more than 2.2 gallons of water per minute.

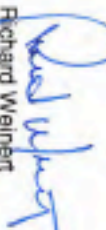
SB 407 defines "water conserving plumbing fixture" as any fixture that is in compliance with current building standards applicable to a newly constructed real property of the same type.

Exceptions

Certain exceptions may apply to the replacement of noncompliant plumbing fixtures pursuant to California Civil Code, Section 1101.7. In addition, all manufactured homes, mobilehomes, and multifamily manufactured housing as defined in Health and Safety Code, Sections 18007, 18008 and 18008.7, respectively, are exempt under federally preemptive standards.

HCDD requests that local enforcement agencies share this Information Bulletin with all interested or affected parties, and solicit staff counsel to determine appropriate enforcement protocols. Questions regarding residential building standards should be directed to the Department of Housing and Community Development (HCDD), Division of Codes and Standards, at (916) 445-9471 or by submitting a web comment to <http://www.hcd.ca.gov/comments>.

Questions regarding water conservation standards for commercial real property, not including multifamily residential real property, hotels or motels, should be directed to the California Building Standards Commission (CBSC) at (916) 263-0916 or by email at cbssc@dhs.ca.gov.


Richard Weimer
Deputy Director