



Water-Conserving Plumbing Fixtures and Certificate of Compliance

This document is intended to provide our customers with information related to the application and enforcement of California Civil Code, Sections 1101.1 through 1101.8. It is important to read the entire document to gain an understanding of the terms and determine what triggers the requirements. These requirements only apply to buildings built and available for use on or before January 1, 1994. Senate Bill 407, (Statutes 2009), amended the California Civil Code to require the following:

- **Single-family residential real property.**
 - Effective **January 1, 2014**, as a condition of final inspection, any single-family residential real property undergoing addition, alteration or improvement will require all non-compliant plumbing fixtures to be replaced with water-conserving plumbing fixtures.
 - On or before **January 1, 2017**, non-compliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water-conserving plumbing fixtures regardless of whether property undergoes an addition, alteration or improvement.

- **Multi-family residential real property and any commercial real property.**
 - On and after **January 1, 2014**, building additions, alterations or improvements will require non-compliant plumbing fixtures to be replaced with water-conserving plumbing fixtures as follows:
 1. For building additions in which the sum of concurrent building permits by the same permit applicant would increase the floor area of the space in a building by more than 10 percent, the building permit applicant shall replace all non-compliant plumbing fixtures in the building.
 2. For building alterations or improvements in commercial real property in which the total construction cost estimated in the building permit valuation is greater than one hundred fifty thousand dollars (\$150,000), the building permit applicant shall replace all non-compliant plumbing fixtures that service the specific area of the improvement.
 3. For any alterations or improvements to a room that requires a building permit and that room contains any non-compliant plumbing fixtures, the building permit applicant shall replace all non-compliant plumbing fixtures in that room.
 - On or before January 1, 2019, all non-compliant plumbing fixtures shall be replaced with water-conserving plumbing fixtures regardless of whether property undergoes an addition, alteration or improvement.

Explanation of Terms

"Commercial real property" means any real property that is improved with, or consisting of, a building that is intended for commercial use, including hotels and motels, that is not a single-family residential real property or a multi-family residential real property.

"Multi-family residential real property" means any real property that is improved with, or consisting of, a building containing more than one unit that is intended for human habitation, or any mixed residential-commercial buildings or portions thereof that are intended for human habitation. Multifamily residential real property includes residential hotels but does not include hotels and motels that are not residential hotels.

"Non-compliant plumbing fixture" means any of the following:

- 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.

"Single-family residential real property" means any real property that is improved with, or consisting of, a building containing not more than one unit that is intended for human habitation.

"Water-conserving plumbing fixture" means any fixture that is in compliance with current building standards applicable to a newly constructed real property of the same type.

"Additions, alterations or improvements" do not include the following:

- 1) Changes to electrical systems, e.g., electrical service upgrades
- 2) Changes to mechanical systems, e.g., HVAC or furnace replacement, duct replacement
- 3) Water heater replacement, piping replacement, sewer line replacement
- 4) Re-roof
- 5) Siding, stucco or any exterior finish replacement
- 6) Window replacement (including sliding glass or front door)
- 7) Chimney repair
- 8) Dry rot repair
- 9) Termite repair
- 10) Foundation repair
- 11) Seismic retrofit
- 12) Roof-mounted solar systems
- 13) Electric vehicle charging stations
- 14) Building signs
- 15) Alterations solely for the purpose of barrier removal (voluntary accessibility upgrades)
- 16) Work not associated with the building itself is not considered to trigger plumbing fixture upgrades in the building
- 17) Swimming pools or spas (in-ground or portable)
- 18) Site work: Retaining walls, fences, walkways, landscaping, etc.
- 19) Ground-mounted solar photovoltaic systems
- 20) Monument signs
- 21) Work in one building is not considered to trigger plumbing fixture upgrades in another building (e.g., work in the following structure would not trigger upgrades in a separate single-family residential building):
 - Accessory structures, sheds or patio covers
 - Detached garages
 - Second units
- 22) Other work as determined by the Building Official

Enforcement and Certification

Verification of compliance presents a significant challenge to permit applicants, property owners and municipalities and must be done prior to final permit approval or issuance of a certificate of occupancy. Self-certification provides a reasonable mechanism of enforcement and ensures that permit applicants and property owners are fully informed of the requirements. However, should an applicant or property owner need assistance in determining compliance with these requirements, building inspection staff will be available to assist in determining if compliance has been achieved.

- As the owner or applicant for a permit(s) issued for this property, I certify under penalty of perjury that non-compliant plumbing fixtures have been replaced with water-conserving plumbing fixtures in accordance with Civil Code Sections 1101.1 through 1101.8, the current California Plumbing Code and California Green Building Standards Code, and manufacturer's installation requirements.**
- As the owner or applicant for a permit(s) issued for this property, I certify under penalty of perjury that the single family dwelling was built and available for use on or before January 1, 1994.**

Applicant/Owner's Signature _____ Date: _____

This certificate must be signed and submitted to the Building Inspection Division in order to final your permit.
