



Policy for Replacement of Non-Compliant Plumbing Fixtures

Purpose:

The purpose of this policy is to clarify state law in regard to the mandated enforcement of Senate Bill 407 (SB 407), which requires the installation of "water-conserving plumbing fixtures", and the role the City of Rancho Cordova will take in enforcement of this legislation.

Policy:

The California Building Officials (CALBO) issued a legislative analysis of SB 407, which is attached to this policy, along with the text of SB 407. The City of Rancho Cordova has reviewed the analysis, and has developed the following policy:

RESIDENTIAL PERMITS (this applies to homes built prior to 1994 only):

- **On or after January 1, 2014**, when a permit is issued for an addition, alteration or improvement to a *single-family home*, it will be required that all non-compliant plumbing fixtures be replaced with water-conserving plumbing fixtures as a condition of passing final permit approval.
- **On or before January 1, 2017**, non-compliant plumbing fixtures in any *single-family home* shall be replaced by the property owner with water-conserving plumbing fixtures.
- **On and after January 1, 2017**, a seller (or transferor) of *single-family home* shall disclose in writing to the prospective purchaser (or transferee) the requirements of SB 407 and whether the property includes any noncompliant plumbing fixtures.

MULTI-FAMILY AND COMMERCIAL PERMITS (this applies to real properties built prior to 1994 only):

- **On and after January 1, 2014**, all non-compliant plumbing fixtures in any *multi-family residential real property* and any *commercial real property* shall be replaced with water-conserving plumbing fixtures in the following circumstances:
 - 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.
 - For building alterations or improvements in which the total construction cost estimated for the building permit 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.
 - For any alterations or improvements to a room in a building that require 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.
 - Replacement of all non-compliant plumbing fixtures with water-conserving plumbing fixtures, as described shall be a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department.
- **On or before January 1, 2019**, all non-compliant plumbing fixtures in any *multi-family residential real property* and in any *commercial real property* shall be replaced with water-conserving plumbing fixtures.
- **On and after January 1, 2019**, the water-conserving plumbing fixtures required by this section shall be operating at the manufacturer's rated water consumption at the time that the tenant takes possession. A tenant shall be responsible for notifying the owner or owner's agent if the tenant becomes aware that a water-conserving plumbing fixture within his or her unit is not operating at the

manufacturer's rated water consumption. The owner or owner's agent shall correct an inoperability in a water-conserving plumbing fixture upon notice by the tenant or if detected by the owner or the owner's agent.

- **On and after January 1, 2019**, a seller (or transferor) of *multi-family residential real property* or of *commercial real property* shall disclose to the prospective purchaser (or transferee), in writing, the requirements of SB 407 and whether the property includes any non-compliant plumbing fixtures.

Definitions (Taken from California Building Code, Chapter 2):

- **Addition:** An extension or increase in floor area or height of a building or structure.
- **Alteration or Alter:** Any construction or renovation to an existing structure other than repair or addition.
- **Repair:** The reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

The following "repairs or improvements" will not trigger the requirements of SB 407:

- Electrical Service Change Out
- HVAC Change Out
- Re-Roof
- Sewer Line Replacement
- Siding or Stucco
- Site Work: Retaining Walls, Fences, Walk Ways, Etc.
- Water Heater Replacement
- Window Replacement
- Other Repairs as Determined by the Building Official

Inspection Process: When an inspection is performed on a *single-family real property permit*, where verification of the plumbing fixtures is required, the property owner will have two options for compliance with SB 407:

- Allow access to the entire house to show compliance with SB 407.

OR

- The Building Inspector will verify compliance with SB 407 in the areas included in the scope of work of the issued permit. For areas not included in the permit scope, a "self-certification" form signed by the property owner accepting responsibility for compliance with SB 407 for the remaining portions of the residence will be acceptable.

Multi-family and commercial real property permits *must be fully inspected*.



Joseph Cuffe
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