



Community Development Department
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CERTIFICATION OF COMPLIANCE
WATER CONSERVING PLUMBING FIXTURES

California Civil Code Section 1101.1-1101.8 and California Plumbing Code 401.3

These requirements shall apply to residential and commercial real property built and available for use on or before January 1, 1994

- ◇ After January 1, 2014, **single-family residential** buildings undergoing permitted alterations, additions, or improvements **shall replace Non-Compliant plumbing fixtures** with Water-Conserving plumbing fixtures as a condition for permit final or certificate of occupancy issuance.
- ◇ After January 1, 2014, **all Non-Compliant plumbing fixtures** in any **multifamily residential real property and commercial real property shall be replaced** with water-conserving plumbing fixtures in the following circumstances: [Civil Code 1101.5]
 - A. 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 noncompliant plumbing fixtures in the building.
 - B. For **building alterations or improvements** in which the total construction cost estimated in the building permit is **greater than one hundred fifty thousand dollars (\$150,000.00)**, the building permit applicant shall replace all non-compliant plumbing fixtures that service the specific area of the improvement.
 - C. For **alterations or improvements to a room** in a building 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.

Alteration and improvements are interpreted to mean any construction to an existing structure which enhances or improves the structure. Construction related to repairs or maintenance of the structure is not considered to be an alteration or improvement. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions.
Addition: An extension or increase in floor area or height of a building or structure.
Repair: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

Permitted repairs that will not trigger these requirements

- ✓ Electrical service change out
- ✓ HVAC change out
- ✓ Re-roof
- ✓ Sewer line replacement
- ✓ Siding or Stucco
- ✓ Site work: retaining walls, fences, walkways, etc.
- ✓ Water heater replacement
- ✓ Window replacement
- ✓ Other repairs approved by the building official

Existing plumbing fixtures and fittings: [Civil Code 1101.3(c)]

Non-compliant is defined as water use **more than:**

- ◇ Toilet/ Water closets manufactured to use more than 1.6 gallons of water per flush.
- ◇ Urinals urinal manufactured to use more than one gallon of water per flush.
- ◇ Showerheads manufactured to have a flow capacity of more than 2.5 gallons of water per minute
- ◇ Interior faucet that emits more than 2.2 gallons of water per minute

Where existing fixtures are in compliance provide a completed certificate of compliance below.

- ◇ Separate permits are required for installation of new fixtures to replace non-compliant fixtures.
- ◇ Plumbing fixtures and fittings installed in accordance with the California Plumbing Code shall meet the applicable standards referenced on Table 1701.1 of the California Plumbing Code.

PLUMBING FIXTURES FLOW RATE CERTIFICATE OF COMPLIANCE

Complete this certificate prior to the request for Final Inspection

PROJECT ADDRESS: _____ **PERMIT # BLDG -** ____ - _____

FIXTURE TYPE	NEW FIXTURE MAXIMUM FLOW RATE	EXISTING FIXTURE MAXIMUM FLOW RATE	COMPLIANCE YES/ NO	SUB CONTRACTOR INITIAL
Single Showerheads	1.8 gpm @ 80 psi	2.5 gpm @ 80 psi		
Multiple Showerheads	2.0 gpm @ 80 psi or only one shower outlet is to be in operation at a time.	N/A		
Residential Lavatory faucets	1.2 gpm @ 60 psi	2.2 gpm @ 60 psi		
Kitchen faucets	1.8 gpm @ 60 psi ¹	2.2 gpm @ 60 psi		
Lavatory Faucets in Common and Public Use Areas of Res. and Non-Res. Buildings	0.5 gpm @ 60 psi ²	2.2 gpm @ 60 psi		
Residential Metering faucets	0.25 gallons/cycle	2.2 gpm		
Wash fountains	1.8 [rim space(in.)/20 gpm @ 60 psi]	N/A		
Commercial Metering faucets	0.20 gallons/cycle	2.2 gpm		
Commercial Metering faucets for wash fountains	0.20 [rim space(in.)/20 gpm @ 60 psi]	2.2 gpm		
Gravity tank type water closets	1.28 gallons/flush ³	1.6 gpf		
Flushometer tank water closets	1.28 gallons/flush ³	1.6 gpf		
Flushometer valve water closets	1.28 gallons/flush ³	1.6 gpf		
Electromechanical hydraulic water closets	1.28 gallons/flush ³	1.6 gpf		
Urinals	0.5 gallons/flush	1.0 gpf		
Wall mounted urinals	0.125			

1. Kitchen faucets may temporarily increase flow above the maximum rate, but not above 2.2 gpm @ 60 psi and must default to a maximum flow rate of 1.8 gpm @ 60psi.
2. Where complying faucets are unavailable, aerators rated at 0.35 gpm or other means may be used to achieve reduction.
3. Tank-type water closets shall be certified to the performance criteria of the U.S. EPA WaterSense Specifications for Tank-Type flush.

Owner/Contractor/(Documentation Author's/Responsible Designer's Declaration Statement)

- ✓ I certify under penalty of perjury, under the laws of the State of California, the information provided is true and correct.
- ✓ I certify that the features and performance specifications for the design identified on this Certificate of Compliance conform to the requirements of Title 24, Part 5 California Plumbing Code and CA Civil Code sections 1101.1 through 1101.8.
- ✓ The design features identified on this Certificate of Compliance are consistent with the information documented on other applicable compliance forms, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with the permit application.
- ✓ This building was built or available for use after January 1, 1994.

Owner

Contractor

Name: _____

Name: _____

Address: _____

Address: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Phone: _____

Company: _____

License: _____

Phone: _____

Civil Code - CIV

DIVISION 2. PROPERTY [654 - 1422] (*Heading of Division 2 amended by Stats. 1988, Ch. 160, Sec. 13.*)

PART 4. ACQUISITION OF PROPERTY [1000 - 1422] (*Part 4 enacted 1872.*)

TITLE 4. TRANSFER [1039 - 1231] (*Title 4 enacted 1872.*)

CHAPTER 2. Transfer of Real Property [1091 - 1134] (*Chapter 2 enacted 1872.*)

ARTICLE 1.4. Installation of Water Use Efficiency Improvements [1101.1 - 1101.9] (*Article 1.4 added by Stats. 2009, Ch. 587, Sec. 1.*)

1101.1. The Legislature finds and declares all of the following:

- (a) Adequate water supply reliability for all uses is essential to the future economic and environmental health of California.
- (b) Environmentally sound strategies to meet future water supply and wastewater treatment needs are key to protecting and restoring aquatic resources in California.
- (c) There is a pressing need to address water supply reliability issues raised by growing urban areas.
- (d) Economic analysis by urban water agencies has identified urban water conservation as a cost-effective approach to addressing water supply needs.
- (e) There are many water conservation practices that produce significant energy and other resource savings that should be encouraged as a matter of state policy.
- (f) Since the 1991 signing of the "Memorandum of Understanding Regarding Urban Water Conservation in California," many urban water and wastewater treatment agencies have gained valuable experience that can be applied to produce significant statewide savings of water, energy, and associated infrastructure costs. This experience indicates a need to regularly revise and update water conservation methodologies and practices.
- (g) To address these concerns, it is the intent of the Legislature to require that residential and commercial real property built and available for use or occupancy on or before January 1, 1994, be equipped with water-conserving plumbing fixtures.
- (h) It is further the intent of the Legislature that retail water suppliers are encouraged to provide incentives, financing mechanisms, and funding to assist property owners with these retrofit obligations.

1101.2. Except as provided in Section 1101.7, this article shall apply to residential and commercial real property built and available for use on or before January 1, 1994.

1101.3. For the purposes of this article:

- (a) "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 multifamily residential real property.
- (b) "Multifamily 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.
- (c) "Noncompliant 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.
- (d) "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.
- (e) "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.
- (f) "Sale or transfer" means the sale or transfer of an entire real property estate or the fee interest in that real property estate and does not include the sale or transfer of a partial interest, including a leasehold.

1101.4. (a) On and after January 1, 2014, for all building 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.

(b) On or before January 1, 2017, noncompliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water-conserving plumbing fixtures.

(c) On and after January 1, 2017, a seller or transferor of single-family residential real property shall disclose in writing to the prospective purchaser or transferee the requirements of subdivision (b) and whether the real property includes any noncompliant plumbing fixtures.

1101.5. (a) On or before January 1, 2019, all noncompliant plumbing fixtures in any multifamily residential real property and in any commercial real property shall be replaced with water-conserving plumbing fixtures.

(b) An owner or the owner's agent may enter the owner's property for the purpose of installing, repairing, testing, and maintaining water-conserving plumbing fixtures required by this section, consistent with notice requirements of Section 1954.

(c) 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.

(d) (1) On and after January 1, 2014, all noncompliant plumbing fixtures in any multifamily residential real property and any commercial real property shall be replaced with water-conserving plumbing fixtures in the following circumstances:

(A) 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 noncompliant plumbing fixtures in the building.

(B) For building alterations or improvements in which the total construction cost estimated in the building permit is greater than one hundred fifty thousand dollars (\$150,000), the building permit applicant shall replace all noncompliant plumbing fixtures that service the specific area of the improvement.

(C) Notwithstanding subparagraph (A) or (B), for any alterations or improvements to a room in a building that require a building permit and that room contains any noncompliant plumbing fixtures, the building permit applicant shall replace all noncompliant plumbing fixtures in that room.

(2) Replacement of all noncompliant plumbing fixtures with water-conserving plumbing fixtures, as described in paragraph (1), shall be a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department.

(e) On and after January 1, 2019, a seller or transferor of multifamily residential real property or of commercial real property shall disclose to the prospective purchaser or transferee, in writing, the requirements of subdivision (a) and whether the property includes any noncompliant plumbing fixtures. This disclosure may be included in other transactional documents.

1101.6. The duty of an owner or building permit applicant to comply with the requirements of this article shall be postponed for one year from the date of issuance of a demolition permit for the building. If the building is demolished within the one-year postponement, the requirements of this article shall not apply. If the building is not demolished after the expiration of one year, the provisions of this article shall apply, subject to appeal to the local building department, even though the demolition permit is still in effect or a new demolition permit has been issued.

1101.7. This article shall not apply to any of the following:

(a) Registered historical sites.

(b) Real property for which a licensed plumber certifies that, due to the age or configuration of the property or its plumbing, installation of water-conserving plumbing fixtures is not technically feasible.

(c) A building for which water service is permanently disconnected.

1101.8. A city, county, or city and county, or a retail water supplier may do either of the following:

(a) Enact local ordinances or establish policies that promote compliance with this article.

(b) Enact local ordinances or establish policies that will result in a greater amount of water savings than those provided for in this article.