

**City of Cotati**  
**Building Department**  
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## **Installation of Water Use Efficiency Improvement:**

### **SB 407 (2009) I California Civil Code Section 1101.1-1101.8**

As of January 1, 2014, SB 407 requires non-compliant plumbing fixtures to be replaced by water-conserving plumbing fixtures when a property is undergoing alterations or improvements. Based on definitions found within the California Building Code and California Green Building Code, 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.

Through this interpretation, SB 407 only applies to permitted additions, alterations and improvements. Additionally, permits can be pulled for property maintenance and repair without triggering the SB 407 requirements. Below is a list of permits that are considered to be repair or maintenance:

#### **PERMITTED REPAIRS THAT WILL NOT TRIGGER 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

On and after January 1, 2014, SB 407 will require, for all building alterations or improvements to **single-family residential** real property that water conserving plumbing fixtures replace other noncompliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local department. Additionally, SB 407 requires, on or before January 1, 2017, that all noncompliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water conserving plumbing fixtures.

SB 407 will also require, on or before January 1, 2019, that all noncompliant plumbing fixtures in **multifamily residential** real property and commercial real property, as defined, be replaced with water conserving plumbing fixtures. This bill will require, on and after January 1, 2014, for the following building alterations or improvements to multifamily residential real property and commercial real property, the water conserving plumbing fixtures replace other noncompliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department.

1. For building additions which would increase the floor area of the space in a building by more than 10 percent.
2. 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).
3. For any alterations or improvements to a room in a building that require a building permit that room contains any noncompliant plumbing fixtures.

## Definitions

*2013 California Building Code, Title 24, Part 2, Volume 1, Chapter 2, Section 202*

**Addition:** An extension or increase in floor area or height of a building or structure.

**Alteration:** 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

*California Civil Code Section 1101.3*

**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.