

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
BUILDING DIVISION buildingdivision@montereypark.ca.gov



Notice – Effective January 1, 2014

On January 1, 2014 a new California law went into effect and applies to **all single-family residential, multifamily residential and commercial real property built on or before January 1, 1994**. This law requires the replacement of plumbing fixtures that are not water-conserving. On and after January 1, 2014, all building alterations and improvements to single-family residential, multifamily residential and commercial real property are required to replace plumbing fixtures that are not water conserving, defined as noncompliant plumbing fixtures. [Senate Bill 407 (2009) / California Civil Code Sections 1101.1 through 1101.8]

As a condition of all permits issued for alteration and improvements, the Building Department is charged with verifying compliance with these requirements. Specifically the law states:

- ❖ All toilets must use no more than 1.6 gallons of water per flush.
- ❖ All urinals must use no more than 1 gallon of water per flush.
- ❖ All showerheads must flow no more than 2.5 gallons of water per minute.
- ❖ All interior faucets must emit not more than 2.2 gallons of water per minute.

A final inspection of all permitted projects will be contingent upon verifying the project is in compliance with these requirements. Compliance can be met in one of the following ways.

- 1) The home is a registered historical site in which case it is exempt from the law.
- 2) A licensed plumber certifies that, due to the age or configuration of the property or its plumbing, the installation of water-conserving plumbing fixtures is not technically feasible.
- 3) A building for which water service is permanently disconnected. (i.e. detached garage)
- 4) A visual inspection and verification by the City Building Inspector that all fixtures are in compliance.
- 5) Written certification from the licensed contractor who obtained the building permit or the property owner that fixtures are in compliance as outlined in the law.

In order to implement this new State mandate, the City of Monterey Park's Building and Safety Division will verify the original construction date of the structure. Real properties that were constructed prior to January 1, 1994 are subject to these requirements.

If you have questions or concerns with the content of this notice please contact Building and Safety Division by email at buildingdivision@montereypark.ca.gov or by telephone at (626) 307-1300.

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Permitted Repairs That Will Not Trigger SB 407 (Suggested List of Work)
Changes to electrical system, e.g., electrical services upgrades
Changes to mechanical systems, e.g., HVAC or furnace replacement, duct replacement
Water heater replacement, piping replacement, sewer line replacement
Re-roof
Siding, stucco or any exterior finish replacement
Window replacement
Chimney repair
Dry rot repair
Termite repair
Foundation repair
Seismic retrofit
Roof-mounted solar systems
Electric vehicle charging stations
Building signs
Alterations solely for the purpose of barrier removal (voluntary accessibility upgrades)
Work not associated with the building itself is not considered a trigger plumbing fixture upgrades in the building, e.g.: <ul style="list-style-type: none"> ❖ Swimming pools or spas (in-ground or portable) ❖ Site work: Retaining walls, fences, walkways, landscaping, etc. ❖ Ground-mounted solar photovoltaic systems ❖ Monument signs
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 the separate single-family residential building): <ul style="list-style-type: none"> ❖ Accessory structures, sheds or patio covers ❖ Detached garages ❖ Second units
Other works as determined by the Building Official

Permits from the above list of work may be obtained without triggering plumbing fixture upgrades.



Work That Will Trigger SB 407 (Suggested List of Work)

Single-family residential:

- ❖ All non-compliant plumbing fixtures will be required to be upgraded with water-conserving plumbing fixtures throughout the single-family residential building. [Civil Code Section 1101.4(a)]

Multifamily residential and commercial:

- ❖ For building additions, if the sum of concurrent building permits by the same permit applicant would increase the floor area of *the building* by more than 10%, all non-compliant plumbing fixtures will be required to be upgraded with water-conserving plumbing fixtures throughout the building. [Civil Code Section 1101.5(d)(1)(A)] This would include all common area plumbing fixtures as well as plumbing fixtures in private individual dwelling unit or tenant unit owned by the same owner.
- ❖ For building alterations or improvements, if the total construction cost in the building permit exceeds \$150,000, all non-compliant plumbing fixtures that service the specific area of the alteration or improvement will be required to be upgraded with water-conserving plumbing fixtures. [Civil Code Section 1101.5(d)(1)(B)]
 - Example: A tenant space does not contain plumbing fixtures in its space and is served by a centrally located toilet facility. When the tenant improvement construction cost exceeds \$150,000, all plumbing fixtures in the centrally located toilet facility are required to be upgraded.
 - Example: A tenant space contains plumbing fixtures itself and is also served by a toilet facility in the common area. When the tenant improvement construction cost exceeds \$150,000, only the fixtures within the tenant space would need to be upgraded.
- ❖ Any alteration to a room that contains non-compliant plumbing fixtures will require all the fixtures in that room to be upgraded to water-conserving plumbing fixtures. [Civil Code Section 1101.5(d)(1)(C)]

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Interpretation for Duplex (Two-Family Dwelling) and Second Unit

Civil Code Section 1101.3 defines “single-family residential real property” as any real property that is improved with, or consisting of, a building containing not more than one unit that is intended for human habitation. It also defines “multifamily residential real property” as any real property that is improved with, or consisting of, a building containing more than one unit that is intended for human habitation.

To maintain consistency with the scope and application of the building and residential code, for purposes of applying Civil Code Sections 1101.1 through 1101.8, a real property consisting of a duplex (two-family dwelling) will be considered a single-family residential real property. Alterations to one dwelling unit will trigger plumbing fixture upgrades within that unit only and not the adjacent unit.

A real property consisting of a single-family residence with either a detached or attached second unit will also be considered a single-family residential real property. Alterations to the residence will trigger plumbing fixture upgrades within the residence only and not the second unit, and vice versa.

Clarification of “Non-Compliant Plumbing Fixture”

Please note that according to the definition of “non-compliant plumbing fixture” in Civil Code Section 1101.3(c), the existing plumbing fixture water usage/flow rate must **exceed** the amount shown to be considered non-compliant. If the existing plumbing fixture water usage/flow rate is equal to or lower than the amount shown, it is not required to be upgraded.

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Water-Conserving Plumbing Fixtures Self-Certification of Compliance

Owner/Contractor Name: _____ Permit No. _____

Address: _____

PERMIT CANNOT BE FINALED AND COMPLETED UNTIL THIS CERTIFICATE HAS BEEN SIGNED AND RETURNED TO THE BUILDING DIVISION.

As of January 1, 2014 a new California law went into effect and applies to all single-family residential, multifamily residential and commercial real property built on or before January 1, 1994. This legislation requires water-conserving plumbing fixtures be installed throughout the structure as a condition of building permits applied for on or after January 1, 2014.

This signed self-certification may be used in lieu of a City building inspector verifying compliance with this water-conserving fixture requirement for areas of the structure **not** included in the scope of work of the issued permit.

The water conservation requirements are:

- ❖ All toilets use no more than 1.6 gallons of water per flush
- ❖ All urinals must use no more than 1 gallon of water per flush.
- ❖ All showerheads flow no more than 2.5 gallons of water per minute
- ❖ All interior faucets emit no more than 2.2 gallons of water per minute

I/We, the owner(s) of this property, declare under penalty of perjury under the laws of California 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, as adopted by the Monterey Park Municipal Code, the manufacturer's installation requirements, and that the water-conserving plumbing fixtures comply with the requirements as indicated.

Owner/Contractor's Signature: _____ Date: _____