City of Sonoma
Building Department

#1 The Plaza
Sonoma, CA 95476
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NONCOMPLIANT EXISTING PLUMBING FIXTURES
Compliance Form

For Additions, Alterations or Improvements (does not apply to permits solely for repairs or maintenance)
[Complete & Submit with Permit Application]

Effective January 1, 2014, when building permits are issued for additions, alterations or improvements, California Civil Code Sections 1101.1-1101.8 requires certain residential and commercial real property built and available for use or occupancy on or before January 1, 1994, to be equipped with water-conserving plumbing fixtures. Permits issued solely for repairs or maintenance are not subject to these requirements unless the repairs include the replacement of a noncompliant plumbing fixture.

The full text of Sections 1101.1-1101.8 of the CA Civil Code can be found on the Internet at
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1101.1-1101.8

Definitions:

"Commercial" 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. *[extrapolated from CA Civil Code 1101.3(a)]*

"Multi-family" 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. Multi-family residential real property includes residential hotels, but does not include hotels and motels that are not residential hotels. *[extrapolated from CA Civil Code 1101.3(b)]*

"Noncompliant plumbing fixture" means any of the following: *[from CA Civil Code 1101.3(c)]*

(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" 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. *[extrapolated from CA Civil Code 1101.3(d)]*

"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. *[from CA Civil Code 1101.3(e)]*

"Registered historical site" shall have the same meaning as "Qualified Historical Building or Property" as defined in the CA Historical Building Code and Health and Safety Code Section 18955. A "Qualified Historical Building or Property" is any building, site, object, place, location, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. This shall include historical buildings or properties on, or determined eligible for, national, state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks. *[from 2013 CA Historical Code Section 8-201]*

*[**NOTE:** "Registered historical site" is not defined in CA Civil Code 1101.1-1101.8. For the purposes of applying and enforcing the provisions of CA Civil Code 1101.1-1101.8, the Building Official has determined that the intent of the term "Registered historical site" is synonymous with "Qualified Historical Building or Property" as defined in the CA Historical Building Code and Health and Safety Code Section 18955.*]

"Repair" means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance. *[from 2013 CA Building Code Section 202]*

*[**NOTE:** For the purposes of applying and enforcing CA Civil Code 1101.1-1101.8, permits issued for structures not used for human habitation or commercial use (i.e. signs, swimming pools, solar PV, sheds, detached accessory structures, etc.) and permits issued solely for "repairs" are not considered to be alteration or improvement work and, therefore, are not subject to the mandatory requirements therein. Examples of repair work include, but are not limited to, electrical service change-out, HVAC change-out, reroof, plumbing repairs, siding or stucco, site work, termite repair, retaining walls, fences, walkways, water heater replacement, window replacement or other repairs or maintenance as determined by the Building Official.]*

NONCOMPLIANT EXISTING PLUMBING FIXTURES DECLARATION / VERIFICATION PREFERENCE / SELF-CERTIFICATION

Property Address: _____

Description of Work: _____

☐ Single-Family Dwelling ☐ Multi-Family Dwelling ☐ Commercial (including hotels, motels, etc.)

(Choose one of the following 3 statements:)

☐ 1. The property is exempt from the requirement to replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures (Sections 1101.1 through 1101.8 of the CA Civil Code) for the following reason(s): *(check all that apply)*

- ❍ All buildings on the property or portions thereof that contain plumbing fixtures that were built and available for use or occupancy after January 1, 1994.
- ❍ The property or building is a registered historical site.
- ❍ The project is a commercial or multi-family addition that does not increase the floor area of the building by more than ten percent (10%).
- ❍ The project is a commercial or multi-family alteration or improvement that does not have a total construction cost greater than one hundred fifty thousand dollars ($150,000).
- ❍ A licensed plumber has certified that, due to the age or configuration of the property or its plumbing, installation of water-conserving plumbing fixtures is not technically feasible.
- ❍ The proposed project is solely for repairs and does not include the replacement of non-compliant plumbing fixtures.
- ❍ The proposed project is for a structure(s) not used for human habitation or commercial use (i.e. signs, swimming pools, solar PV, sheds, detached accessory structures, etc.)

(No fee is required for properties exempt from Sections 1101.1 through 1101.8 of the CA Civil Code.)

☐ 2. I will schedule a Building Department inspection to determine the number of noncomplying plumbing fixtures **prior** to issuance of the building permit and will schedule a final inspection to verify the replacement of all noncomplying plumbing fixtures prior to final inspection approval of the permit. *(The fee for this City inspection service is $44.00 plus $16.00 for each existing toilet, urinal, showerhead and interior faucet that is installed on the property.)*

☐ 3. I certify, under penalty of perjury, that the replacement of all noncomplying plumbing fixtures with water-conserving plumbing fixtures in compliance with the applicable requirements of Sections 1101.1 through 1101.8 of the California Civil Code will be performed prior to Building Department final inspection. I authorize the building inspector to verify this compliance at the time of final inspection. *(The City fee for processing a self-certification is $44.00.)*

_____	_____	_____
Signature	Print Name	Date
_____	_____	
Telephone Number	E-mail address	

Person signing above is the: *(Please check one)*

☐ Property Owner ☐ Authorized Agent for Property Owner
☐ Licensed Contractor ☐ Authorized Agent for Licensed Contractor

Please return this completed and signed certification to the City of Sonoma Building Department, #1 The Plaza, Sonoma, CA. 95476 or by fax to 707-938-8775.