

New CA Law Requires Contractors to Replace Old Plumbing Fixtures with Water Conservation Models

Kenneth R. Blumer
February 2014

Senate Bill 407 became law in California on January 1, 2014 and requires replacement of plumbing fixtures with water-conserving models anytime a building permit is required for work that will “alter” or “improve” a single family residence built earlier than 1995. Replacement of these fixtures is a condition of receiving final permit approval from the local building and safety department of the governing jurisdiction. This new law will also require water-conserving plumbing fixtures in multi-family dwellings and commercial properties when specific renovations are made starting in 2019.

The question will now be how to interpret what is an “alteration” or “improvement.” Although not binding legal authority, the California Building Officials (CALBO) group has interpreted the terms to mean “any construction to an existing structure that enhances or improves the structure.” Construction that is related to repairs or maintenance of the structure is not considered to be an alteration or improvement. CALBO considers the following to be repairs or maintenance that do not trigger the new law:

- Electrical Service Change Out
- HVAC Change Out
- Sewer Line Replacement
- Siding or Stucco Repair or Replacement
- Site Work: Retaining Walls, Fences, Walkways
- Water Heater Replacement
- Window Replacement

The astute Contractor or Plumber would be wise to check with the local Building & Safety Department for its interpretation of “alteration” and “improvement” to be sure the Work will not require a major replacement of bathroom and kitchen plumbing fixtures before finalizing its contract with the Owner.