

**SB 407 • California Civil Code Section 1101.1 • 2013 Green Building Standards Code**

In 2009, the California State Legislature passed Senate Bill SB 407 which requires the replacement of plumbing fixtures that are not water conserving, effective January 1, 2014. Similar provisions are found in both the California Civil Code and the 2013, California Green Building Standards Code.

This informational bulletin has been issued by the City of Villa Park to clarify how these regulations shall be applied by this jurisdiction.

Each one of these codes and regulations make reference to the requirements for replacement of non-compliant plumbing fixtures with water-conserving plumbing fixtures when a property is undergoing alterations or improvements. The definition of an “alteration” in the California Building Standards Code is “Any construction or renovation to an existing structure other than a repair or addition.” Based on this definition, any building permit issued for the repair or maintenance of an existing structure would not be subject to the requirements of Senate Bill AB 407.

With respect to “alterations”, Section 301.1.1 of the California Green Building Standards Code specifies the requirements shall apply only to the specific area of the addition or alteration. *(Please refer to the attached flowchart, and CALBO Legislative Analysis for further clarification)*

Solar Photovoltaic Systems have been aggressively promoted in the State of California with directives and recommendations from the Governor’s Office and the State Legislature, and to facilitate their installation and use. For example, Senate Bill SB 1222 was enacted to provide guidelines related to the reasonable cost of permit fees for the installation of rooftop solar energy systems. The application of SB 407 when a solar photovoltaic system is installed on an existing building would incur additional costs and associated permit fees which would be in conflict with the requirements and intent of SB 1222. Based on this, and the provisions of the California Green Building Standards Code related to the specific area of the alteration, Solar Photovoltaic Systems shall not be subject to the requirements of SB 407.

Therefore, effective January 1, 2014, the following permits shall **not** be subject to SB 407 in the City of Villa Park:

- Electrical service change-outs
- HVAC and other mechanical change-outs
- Re-roofs
- Residential solar systems
- Sewer line replacement
- Siding or stucco replacement
- Site work: retaining walls, fences, walk ways, etc.
- Swimming Pools
- Water heater replacement
- Window replacement
- Other minor repairs or maintenance as determined by the Building Official.

All other provisions of SB 407 shall be enforced such as additions or alterations.