

# Indoor Water Use Efficiency Ordinance and Checklist

Effective January 1, 2011

Coastside County Water District

**ORDINANCE NO. 2010-01**

**AN ORDINANCE OF COASTSIDE COUNTY WATER DISTRICT  
ESTABLISHING WATER CONSERVATION REGULATIONS**

THIS ORDINANCE is adopted in light of the following facts and circumstances, which are hereby found and declared by the Board of Directors.

WHEREAS, a reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the County of San Mateo and the City of Half Moon Bay California.

WHEREAS, the San Francisco Bay Area is a semi-arid region and is dependent upon local surface water, ground water, and imported water supplies. Factors, such as drought, a growing population, climate change, and environmental and regulatory concerns affect our region's water reliability and make the region highly susceptible to water supply challenges.

WHEREAS, careful water management requires active water conservation measures, not only in times of drought but at all times, in order to ensure a reliable minimum supply of water to meet current and future water supply needs.

WHEREAS, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.

WHEREAS, the San Francisco Public Utilities Commission has imposed an interim water supply limitation on its wholesale customers, including local water suppliers, until at least 2018.

WHEREAS, current supply and demand projections for the Bay Area Water Supply and Conservation Agency member agencies indicate that, in the absence of increased water conservation, water demands will exceed available water supplies in 2015 and implementation of water conserving ordinances is one mechanism by which agencies can reduce future water demands and remain within existing supplies.

WHEREAS, the Board of Directors finds and determines that this Ordinance is consistent with the provisions requiring high efficiency water conserving fixtures and reductions in indoor water use in the 2007 California Plumbing Code and the California Green Building Standards Code, respectively, as such provisions will be implemented in the coming years. Implementation of this Ordinance is necessary to expedite the use of high efficiency water conserving fixtures and assist BAWSCA member agencies in achieving water savings.

WHEREAS, the State Legislature has identified the provision of a more reliable water supply and the protection, restoration and enhancement of the Delta ecosystem as a high priority for the State. Pursuant to this, in November 2009, the State Legislature passed Senate Bill 7 (7<sup>th</sup> Extraordinary Session) requiring certain urban water suppliers to reduce per capita urban water use by 20% by the year 2020. Accordingly, the Board of Directors finds that the implementation of this Ordinance is consistent with the policies and goals established by the State Legislature in enacting Senate Bill 7 (7<sup>th</sup> Extraordinary Session).

WHEREAS, the State Legislature has identified urban water conservation as a cost-effective approach to addressing water supply needs and determined that there are many water conservation practices that produce significant energy and water resource savings that should be encouraged as a matter of state policy. Pursuant to this finding, the State Legislature passed Senate Bill 407 (Chapter 587, Stats. 2009), requiring all residential and commercial property owners to replace existing plumbing fixtures with water-conserving fixtures by 2017 and 2019, respectively, and to upgrade existing plumbing fixtures upon any remodel initiated after January, 1 2014. Senate Bill 407 further authorizes a city, county, or retail water supplier to enact local ordinances that promote compliant use of water efficient plumbing fixtures or which will result in a greater amount of water savings than those provided for in Senate Bill 407. Accordingly, the Board of Directors finds and determines that this Ordinance is consistent with the mandates of Senate Bill 407 and will result in water savings as provided for in Senate Bill 407.

WHEREAS, the District has the power to perform all acts necessary to carry out fully the provisions of the County Water District Law (Water Code Section 31001), may establish rules and regulations for the distribution and use of water supplies (Water Code Section 31024), may adopt and enforce a comprehensive water conservation program to reduce potable water consumption and conserve supplies (Water Code Section 375), and may require as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use (Water Code Section 1009 and 31035).

WHEREAS, the District has followed the procedures for notice, public participation and adoption set forth in Section 375 of the California Water Code.

WHEREAS, the Board of Directors finds and determines that the more restrictive building standards for water conserving fixtures provided for in this Ordinance are reasonably necessary because of local climatic, geological or topographical conditions.

WHEREAS, the Board of Directors finds and determines that this Ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource) and Section 15378(b)(2) (the activity is not a project as it involves general policy and procedure making) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it makes and implements policies and procedures for ensuring that water resources are conserved by reducing water consumption through the use of water efficient indoor plumbing fixtures.

WHEREAS, the adoption and enforcement of this Ordinance is necessary to manage the Coastside County Water District's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the Coastside County Water District's service area. This Ordinance is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES ORDAIN AS FOLLOWS:

I. **Title**

THIS ORDINANCE shall be known as the **Coastside County Water District Indoor Water Use Efficiency Ordinance**.

## **II. Coordination with the Plumbing Code**

The District acknowledges that it is not legally empowered to adopt or enforce the code of rules and regulations printed in one volume and published by the International Association of Plumbing and Mechanical Officials, under the title "California Plumbing Code, 2007 Edition," and the appendices printed therein, and all supplements subsequently issued thereto, hereinafter collectively called the "Plumbing Code," prescribing regulations for the installation of all plumbing fixtures. However, the District intends to implement the measures provided for in this Ordinance in connection with an application for new or expanded water service.

## **III. Applicability**

- A. The provisions of this Ordinance shall apply to the following projects requiring new or expanded water service:
  - 1. All new construction;
  - 2. Any remodel;
  - 3. Existing construction or existing development.
- B. The provisions of this Ordinance shall not apply to:
  - 1. Existing buildings not seeking new or expanded water service;
  - 2. Registered local, state or federal historical sites;
  - 3. Remodels where, in the discretion of the District's Superintendent, the unique configuration of the building, its drainage system or portions of the public sewer, or both, are incompatible with efficiency standards listed in the Indoor Water Use Efficiency Table and require a greater quantity of water to flush the system in a manner that is consistent with public health.

## **IV. Definitions**

- A. "certified professional" means a licensed contractor, licensed architect or licensed professional engineer.
- B. "dedicated irrigation meter" means a meter installed to provide water for irrigation purposes only.
- C. "District" means Coastside County Water District.
- D. "Energy Star Qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- E. "gal/cycle" means gallons per cycle.
- F. "gal/100 lbs ice" means gallons per hundred pounds of ice.

- G. "gpf" means gallons per flush.
- H. "gpm" means gallons per minute.
- I. "water factor" means the number of gallons per cycle per cubic foot that a clothes washer uses.
- J. "individual meter" means a metered service connection serving one dwelling unit, one commercial unit or one landscaped area by an individual account with the District.
- K. "local agency" means a city or county, including a charter city or charter county, or water district that is responsible for adopting and implementing the Ordinance. The local agency is also responsible for the enforcement of this Ordinance, including but not limited to, in the case of a city or county, approval of a permit and plan check or design review of a project; and in the case of a district, approval of a new or expanded water service application.
- L. "LSI" means Langlier Saturation Index providing an indication of the degree of saturation of water with respect to calcium carbonate related to cooling tower efficiency.
- M. "local water purveyor" means any entity, including a public agency, city, county, or private water company that provides retail water service.
- N. "master meter" means an individual metered service connection serving multiple residential or multiple commercial units by an individual account with the District.
- O. "mixed use" means a parcel or building used for both commercial and residential purposes.
- P. "new or expanded water service" means a new connection or an increase in existing capacity for an existing connection.
- Q. "permit" means the document issued by local agencies in connection with new construction, remodels or renovations and which authorizes the lawful initiation of construction, improvements or repairs to a building or structure.
- R. "project applicant" means the individual or entity submitting an Indoor Water Use Efficiency Checklist as required under Section VII, and requesting a permit, plan check, design review, or new or expanded water service application from the local agency. A Project applicant may be the property owner or his or her designee.
- S. "RMF" means residential multi-family.
- T. "sq. ft." means square feet.
- U. "toilet" means toilet tank, toilet valve, and toilet bowl.
- V. "urinal" means urinal porcelain and urinal valve.

**V. Minimum Indoor Fixture Requirements**

All projects requiring new and expanded water service will have, at a minimum, fixtures that comply with the efficiency standards listed below (the “Indoor Water Use Efficiency Table”):

**INDOOR WATER USE EFFICIENCY TABLE**

<b>Fixture</b>	<b>Residential</b>	<b>Non-Residential</b>
Toilets	≤ 1.28 gpf, and ≥ 350 grams	≤ 1.28 gpf, and ≥ 350 grams
Urinals	≤ 0.5 gpf	≤ 0.5 gpf
Showers	≤ 2.0 gpm at 80 psi	≤ 2.0 gpm at 80 psi
Bathroom faucets	≤ 1.5 gpm at 60 psi	≤ 0.5 gpm at 60 psi
Kitchen/Utility faucets	≤ 2.2 gpm at 60 psi	≤ 2.2 gpm at 60 psi
Clothes washers	≤ 6.0 Water Factor	≤ 6.0 Water Factor
Dishwashers	≤ 6.5 gal/cycle or Energy Star Qualified	Energy Star Qualified
Cooling towers	≥ 5 cycles of concentration or ≥ 2.5 LSI	≥ 5 cycles of concentration or ≥ 2.5 LSI
Food steamers	--	Boiler less, or Self-contained
Ice machines	--	≤ 25 gal/100 lbs ice or Air-cooled
Pre-rinse spray valves	--	≤ 1.15 gpm at 60 psi
Automatic vehicle wash facilities	--	≥ 50% of water recycled on site
Commercial refrigeration	--	Closed loop or Air-cooled
All fixtures and appliances must be manufactured to meet specifications. Flow restrictors and other after market modifications will not be accepted as compliant.		

**VI. Metering**

All projects requiring new and expanded water service shall comply with the following metering requirements:

- A. If the project includes landscaped area greater than or equal to 5,000 square feet, the applicant shall install a separate dedicated irrigation meter.

- B. If the project is a mixed use development, the applicant shall install an individual meter for each separate use, including a dedicated irrigation meter to serve the landscape.
- C. If the project involves a RMF (Residential Multi-Family) development, the applicant shall install an individual meter for each dwelling unit. In addition, the applicant shall install an individual meter for the common area and a dedicated irrigation meter shall be installed to serve the landscape.
- D. If the project involves a commercial multi-unit development, the applicant shall install an individual meter for each unit and the applicant shall install a dedicated irrigation meter to serve the landscape.
- E. Master meter service connections may be installed only for multiple residential units or multiple commercial units that satisfy all of the following conditions:
  - 1. all of the units are within one building, and;
  - 2. the building is three or more stories in height, and;
  - 3. the parcel and the building are owned by one legal entity, and;
  - 4. the parcel is served by a dedicated irrigation meter.

**VII. Compliance with Ordinance**

- A. The District shall:
  - 1. Provide the project applicant with the Ordinance and the Indoor Water Use Efficiency Checklist requirements when it provides the applicant with the procedures for new or expanded water service applications;
  - 2. Review the Indoor Water Use Efficiency Checklist submitted by the project applicant;
  - 3. Approve or deny the project applicant's Indoor Water Use Efficiency Checklist submittal;
  - 4. Only upon approval of the Indoor Water Use Efficiency Checklist, approve a new or expanded water service application for the project applicant;
  - 5. In its discretion, inspect the installation of the water efficient fixtures and appliances to verify that they have been installed and are performing at the required use levels; and
  - 6. Submit a copy of the complete Indoor Water Use Efficiency Checklist to the land use authority.
- B. The project applicant shall:

1. Meet the minimum water use efficiency standards for indoor fixtures and appliances provided for in the Indoor Water Use Efficiency Table and Checklist.
2. Comply with the District's regulations regarding water service, water service extensions, water system improvements, engineering and construction standards and approved materials.
3. Comply with the District's fee and rate schedule.
4. Prior to construction, submit all portions of the Indoor Water Use Efficiency Checklist to the District for verification.
5. Allow District staff access to inspect property for compliance with District regulations.

### **VIII. Components of the Indoor Water Use Efficiency Checklist**

The Indoor Water Use Efficiency Checklist shall require, at a minimum:

- A. Project Information;
- B. Quantity and unit water use factors of all indoor fixtures and appliances relative to the standards listed in the Indoor Water Use Efficiency Table and Checklist;
- C. Construction drawings showing type, location and layout of plumbing fixtures, appliances and meters.
- D. Contain the following statement to be completed by the project applicant: "I certify that the subject project meets the specified requirements of the Indoor Water Use Efficiency Ordinance"; and
- E. Bear the signature of the project applicant, or that of a certified professional.

### **IX. Penalties and Enforcement**

Failure to comply with the requirements of this ordinance or a violation of this ordinance is determined to be waste or unreasonable use or unreasonable method of use of water.

- A. Notice of Correction and Notice of Violation.

It is unlawful for any person, firm, partnership, association, or corporation subject to the requirements of this Ordinance to fail to comply with the water use efficiency requirements or to alter or replace the fixtures and appliances required by this Ordinance with other noncompliant fixtures or appliances after the completion of construction or remodel. Whenever the District Superintendent determines that a violation of this Ordinance has occurred, the District Superintendent may serve a notice of correction on the owner(s) of the property on which the violation is situated. The applicant or owner(s) of record shall have sixty (60) days to take corrective action. A notice of violation shall be issued after

sixty (60) days, from the date of the notice of correction, if the violation has not been corrected.

**B. Enforcement.**

If an applicant or owner(s) of record for new or expanded water service fails to comply with the provisions of this Ordinance, the District may require the applicant or owner(s) of record to resubmit its water service application and revised Indoor Water Use Efficiency Checklist for approval and will withhold approval of the application until the applicant or owner(s) of record complies with the terms of this Ordinance.

1. If the applicant or owner(s) of record with an installed water service fails to comply with this Ordinance, and fails to correct any violation within sixty (60) days of the notice of correction from the District, the District may require the installation of a flow restricting device(s) until compliance is achieved. The applicant or owner(s) of record will be charged for the installation and removal of the flow restricting device(s), so the District may recover the costs incurred from enforcement.
2. If the applicant or owner(s) of record with an installed water service fails to comply with this Ordinance, and fails to correct any violation after ninety (90) days of the notice of correction from the District, the District may suspend water service by locking or removing the water meter until compliance is achieved. The applicant or owner(s) of record will be charged for suspending and restoring water service.
3. If the applicant or owner(s) of record with an installed dedicated irrigation water service fails to comply with this Ordinance, and fails to correct any violation within sixty (60) days of the notice of correction from the District, the District may suspend water service by locking or removing the water meter until compliance is achieved. Irrigation is not a necessary water service for health and safety. The applicant or owner(s) of record will be charged for suspending and restoring water service.
4. In addition to any other remedy provided herein, the District may also refer enforcement of violations under this Ordinance to the City Attorney, County Counsel or District Attorney of the jurisdiction where the violation occurred.

**X. Public Education**

The District shall provide information to all applicants regarding the installation of water efficient fixtures and appliances.

**XI. Severability**

If any section, subsection, provision or part of this Ordinance, or its application to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder

of this Ordinance, and the application of such provision to other person or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

**XII. Effective Date**


This Ordinance shall become effective on January 1, 2011.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Coastside County Water District held on May 11, 2010 by the following vote:

AYES: Directors Coverdell, Feldman, Larimer, Donovan and President Mickelsen

NOES:

ABSENT:

  
\_\_\_\_\_  
CHRIS MICKELSEN  
BOARD PRESIDENT

ATTEST:

  
\_\_\_\_\_  
DAVID R DICKSON  
BOARD SECRETARY

# Coastside County Water District Indoor Water Use Efficiency Ordinance

## To Be Completed by Applicant

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I certify that the subject project meets the specified requirements of the Coastside County Water District Indoor Water Use Efficiency Ordinance.

Name (print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## Project Information

Single Family  Multi-Family  Commercial  Institutional  Irrigation only  Industrial  Mixed Use  Other:

Applicant Name (print): \_\_\_\_\_

Contact Phone: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Project Site Address: \_\_\_\_\_

Assessor Parcel Number: \_\_\_\_\_

Project Area (sq.ft. or acre): \_\_\_\_\_

Landscaped Area (sq.ft. or acre) \_\_\_\_\_

Number of Units: \_\_\_\_\_

Fixture	Requirements			Number of Devices	Agency Review	
	Single-Family Residential	Multi-Family and Non-Residential	Units		(Pass)	(Fail)
<b>Toilets</b>	≤ 1.28	≤ 1.28	gpf		<input type="checkbox"/>	<input type="checkbox"/>
	and ≥ 350	and ≥ 350	grams		<input type="checkbox"/>	<input type="checkbox"/>
<b>Urinals</b>	--	≤ 0.5	gpf		<input type="checkbox"/>	<input type="checkbox"/>
<b>Showers</b>	≤ 2.0	≤ 2.0	gpm		<input type="checkbox"/>	<input type="checkbox"/>
<b>Bathroom faucets</b>	≤ 1.5	≤ 0.5	gpm		<input type="checkbox"/>	<input type="checkbox"/>
<b>Kitchen/Utility faucets</b>	≤ 2.2	≤ 2.2	gpm		<input type="checkbox"/>	<input type="checkbox"/>
<b>Clothes washers</b>	≤ 6.0	≤ 6.0	Water Factor		<input type="checkbox"/>	<input type="checkbox"/>
<b>Dishwashers</b>	≤ 6.5 or Energy Star	Energy Star	gal/cycle		<input type="checkbox"/>	<input type="checkbox"/>
<b>Cooling towers</b>	--	≥ 5	cycles of concentration		<input type="checkbox"/>	<input type="checkbox"/>
		or ≥ 2.5	LSI			
<b>Food steamers</b>	--	Boilerless or Self-Contained	--		<input type="checkbox"/>	<input type="checkbox"/>
<b>Ice machines</b>	--	≤ 25 or Air-cooled	gal/100 lbs ice		<input type="checkbox"/>	<input type="checkbox"/>
<b>Pre-rinse spray valves</b>	≤ 1.15	≤ 1.15	gpm		<input type="checkbox"/>	<input type="checkbox"/>
<b>Automatic vehicle wash facilities</b>	--	≥ 50% of the water is recycled on site	--		<input type="checkbox"/>	<input type="checkbox"/>
<b>Commercial refrigeration</b>	--	Closed loop or Air-cooled	--		<input type="checkbox"/>	<input type="checkbox"/>

Coastside CWD

766 Main Street

Half Moon Bay CA 94019

650-726-4405

www.coastsidewater.org

# Coastside County Water District Indoor Water Use Efficiency Ordinance

	Backflow Device				Agency Review		
	Identification	Size	Location	Yes	No	(Pass)	(Fail)
<b>Meter<sub>1</sub></b>						<input type="checkbox"/>	<input type="checkbox"/>
<b>Meter<sub>2</sub></b>						<input type="checkbox"/>	<input type="checkbox"/>
If more than two meters attached information to checklist.						<input type="checkbox"/>	<input type="checkbox"/>
<b>Dedicated Fire Detector Check Meter</b> required on all fire services.						<input type="checkbox"/>	<input type="checkbox"/>
<b>Dedicated Irrigation Meter</b> required if landscape is $\geq$ 5,000 sq.ft.						<input type="checkbox"/>	<input type="checkbox"/>

## To Be Completed By Coastside County Water District Staff

<p><b>Reviewed by:</b></p> <p><b>Materials Received and Reviewed:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Indoor Water Use Efficiency Checklist</li> <li><input type="checkbox"/> Project Plans</li> <li><input type="checkbox"/> Other:</li> </ul> <p><b>Date Reviewed:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Follow up required (explain):</li> </ul> <p><b>Date Resubmitted:</b></p> <p><b>Date Inspected:</b></p> <p><b>Date Approved:</b></p>	<p style="text-align: center; background-color: #ADD8E6; margin-bottom: 5px;"><b>Material Distributed to Applicant</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Indoor Water Use Efficiency Ordinance</li> <li><input type="checkbox"/> Indoor Water Use Efficiency Checklist</li> <li><input type="checkbox"/> Other:</li> </ul> <p style="text-align: center; background-color: #ADD8E6; margin-bottom: 5px;"><b>Measures Recommended to Applicant</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> On-demand/tankless water heater</li> <li><input type="checkbox"/> Leak detection methods</li> <li><input type="checkbox"/> Water-efficient landscaping</li> <li><input type="checkbox"/> Other:</li> </ul>
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**Comments:**