



CALBO Legislative Analysis

Installation of Water Use Efficiency Improvements: SB 407 (2009) | California Civil Code Section 1101.1-1101.8

The Application of SB 407 (2009)

Based on the California Building Officials' analysis of Senate Bill 407 (SB 407) and current building codes we recommend the following application of SB 407 within your local jurisdiction. Please note this is not a legal opinion and we strongly advise each jurisdiction consult with their legal counsel.

As of January 1, 2014, SB 407 requires non-compliant plumbing fixtures to be replaced by water-conserving plumbing fixtures when a property is undergoing alterations or improvements. Based on definitions found within the California Building Code and California Green Building Code, alteration and improvements are interpreted to mean any construction to an existing structure which enhance or improve the structure. Construction related to

repairs or maintenance of the structure is not considered to be an alteration or improvement.

Through this interpretation, SB 407 only applies to permitted additions, alterations and improvements. Additionally, permits can be pulled for property maintenance and repair without triggering the SB 407 requirements. Below is a list of permits that are considered to be repair or maintenance.

| Permitted Repairs That Will Not Trigger SB 407 |
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| Electrical Service Change Out |
| HVAC Change Out |
| Re-Roof |
| Sewer Line Replacement |
| Siding or Stucco |
| Site Work: Retaining Walls, Fences, Walk Ways, Etc. |
| Water Heater Replacement |
| Window Replacement |
| Other Repairs as Determined by the Building Official |

For CALBO's complete legislative analysis [click here](#).

If you would like to continue to receive information on this bill and other legislation please email Kelly Sherfey at ksherfey@calbo.org.