

AMENDED IN SENATE JUNE 16, 2010
AMENDED IN ASSEMBLY JUNE 1, 2010
AMENDED IN ASSEMBLY APRIL 29, 2010
AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1975

Introduced by Assembly Member Fong

February 17, 2010

An act to add Section 17922.14 to the Health and Safety Code, and to add Chapter 8.5 (commencing with Section 537) to Division 1 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1975, as amended, Fong. Water charges and meters: multiunit structures.

The

(1) *The Water Measurement Law* requires every water purveyor to require, as a condition of new water service on and after January 1, 1992, the installation of a water meter to measure water service. That law also requires urban water suppliers to install water meters on specified service connections, and to charge water users based on the actual volume of deliveries as measured by those water meters in accordance with a certain timetable.

~~This bill, with certain exceptions, would require every water purveyor that provides water service to a multiunit residential structure or a mixed-use residential and commercial structure, for which the first occupancy permit for a newly constructed building is issued on or after~~

~~July 1, 2013, to require the installation of meters or submeters on each individual dwelling unit as a condition of new water service to that property would require that architectural plans for individual dwelling units in certain multiunit structures, for which a building permit application is submitted on or after January 1, 2013, include, as a condition for the issuance of the building permit, the installation of either a water meter or a submeter, at the discretion of the water purveyor, to measure water supplied to each individual dwelling unit. The bill would require the owner of the structure, or his or her agent, to charge occupants for water and sewer service based on the actual volume of water delivered as measured by the water meter or submeter, subject to requirements relating to approval, installation, and operation of the water meter or submeter. The bill would authorize the owner of the property, or his or her agent, to charge occupants a specified fee for the actual costs of reading the meter or submeter and providing billing services. The bill would require the owner of the structure to ensure that a water submeter installed for these purposes complies with laws and regulations governing installation, certification, maintenance, billing, and testing of water submeters. The bill would prohibit a water purveyor from imposing specified fees related to the installation of water meters and submeters.~~

(2) The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption.

This bill would require the Department of Housing and Community Development to develop and submit building standards for the installation of water meters and submeters in residential units within a multiunit residential structure or a mixed-use residential and commercial structure, as specified. This bill would also require that proposed building standards include exemptions for certain types of residential structures and where installation is deemed infeasible. The bill would require the commission, prior to adopting these proposed building standards, to determine that a sufficient number of water meters and submeters are available in the market.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 17922.14 is added to the Health and*
2 *Safety Code, to read:*

3 *17922.14. (a) During the next regularly scheduled building*
4 *standards annual code adoption cycle commencing on or after*
5 *January 1, 2011, the department shall develop and submit,*
6 *pursuant to Chapter 4 (commencing with Section 18935) of Part*
7 *2.5, building standards for the installation of water meters and*
8 *submeters in residential units within a multiunit residential*
9 *structure or mixed-use residential and commercial structures for*
10 *purposes of Section 537 of the Water Code.*

11 *(b) (1) The department shall determine circumstances under*
12 *which the installation of water meters or submeters shall be deemed*
13 *infeasible, and provide an exemption for these circumstances in*
14 *the proposed building standards.*

15 *(2) The building standards proposed by the department pursuant*
16 *to this section shall provide an exemption, at a minimum, for each*
17 *of the following:*

18 *(A) Low-income housing.*

19 *(B) Student dormitories.*

20 *(C) Senior living facilities.*

21 *(c) The commission, prior to adopting the building standards*
22 *proposed pursuant to this section, shall collaborate with other*
23 *state entities, including, but not limited to, the Division of*
24 *Measurement Standards, to determine whether a sufficient supply*
25 *of water meters and submeters are available in the market for*
26 *purposes of compliance with the proposed building standards.*

27 **SECTION 1.**

28 **SEC. 2.** Chapter 8.5 (commencing with Section 537) is added
29 to Division 1 of the Water Code, to read:

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CHAPTER 8.5. MULTIUNIT STRUCTURES

32

33 ~~537. (a) (1) Except as provided in paragraph (2), each water~~
34 ~~purveyor that sells, leases, rents, furnishes, or delivers water service~~
35 ~~to a multiunit residential structure or a mixed-use residential and~~
36 ~~commercial structure for which the first occupancy permit for a~~
37 ~~newly constructed building is issued on or after July 1, 2013, shall~~
38 ~~require the installation of a water meter or submeter to measure~~

1 water supplied to each individual dwelling unit as a condition of
2 new water service to that property.

3 ~~(2) A water purveyor shall not require the installation of a water
4 meter or submeter pursuant to paragraph (1), unless a sufficient
5 number of qualifying types of water meters or submeters have
6 been approved pursuant to Section 12500.5 of the Business and
7 Professions Code.~~

8 ~~(b) (1) Except as provided in paragraph (2), the owner of a
9 structure described in subdivision~~

10 *537. (a) Architectural plans for individual dwelling units in
11 a newly constructed multiunit residential structure or a mixed-use
12 residential and commercial structure for which the application
13 for a building permit is submitted on or after January 1, 2013,
14 shall include, as a condition for the issuance of the building permit,
15 the installation of either a water meter or a submeter, at the
16 discretion of the water purveyor, to measure water supplied to
17 each individual dwelling unit.*

18 *(b) (1) The owner of a structure described in subdivision (a),
19 or his or her agent, shall charge occupants for water and sewer
20 service. This charge shall be based only on the actual volume of
21 water delivered to the dwelling unit as measured by the meter or
22 submeter installed pursuant to subdivision (a).*

23 ~~(2) The owner, or his or her agent, may charge a monthly
24 administrative fee to recover the actual cost of reading meters or
25 submeters and providing billing services for the purposes of this
26 section. The administrative fee shall not exceed two dollars (\$2)
27 per meter or submeter per month.~~

28 ~~(3) The owner, or his or her agent, shall not charge an occupant~~

29 *(2) The owner of a structure described in subdivision (a), or his
30 or her agent, shall not charge an occupant for water or sewer
31 service pursuant to this subdivision, unless the meter or submeter
32 used to measure the water delivered to the dwelling unit is of a
33 type approved pursuant to Section 12500.5 of the Business and
34 Professions Code and is installed and operated in compliance with
35 regulations established pursuant to Section 12107 of the Business
36 and Professions Code.*

37 *(c) (1) An owner of a structure described in subdivision (a)
38 shall ensure that each submeter installed pursuant to subdivision
39 (a) complies with all laws and regulations governing installation,
40 certification, maintenance, billing, and testing of water submeters.*

1 (2) This section shall not be construed to require a water
2 purveyor to assume responsibility for ensuring compliance with
3 any law or regulation governing installation, certification,
4 maintenance, and testing of water submeters and associated onsite
5 plumbing.

6 (d) A water purveyor shall not charge an owner of a structure
7 described in subdivision (a), or his or her agent, a fee for the
8 installation of a water meter or submeter that is installed by the
9 owner or his or her agent.

10 ~~(e) This section does not apply to a structure described in~~
11 ~~subdivision (a) that is greater than four stories in height above~~
12 ~~grade and for which the owner, or his or her agent, demonstrates~~
13 ~~to the satisfaction of the water purveyor that the structure's~~
14 ~~plumbing configuration incorporates multiple points of entry in~~
15 ~~each dwelling unit and renders the installation of submeters~~
16 ~~infeasible.~~

17 538. It is the intent of the Legislature that this chapter should
18 not be construed to impose costs on any local government agency,
19 except to the extent that the local government agency is a water
20 purveyor subject to subdivision (a) of Section 537.

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23 **CORRECTIONS:**

24 **Text—Page 4.**

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