

AMENDED IN ASSEMBLY MAY 26, 2011

AMENDED IN ASSEMBLY MAY 2, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 849

Introduced by Assembly Member Gatto

February 17, 2011

An act to amend Section 18941.7 of the Health and Safety Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 849, as amended, Gatto. Water: use efficiency: graywater building standards.

Existing law authorizes a city, county, or other local agency to adopt, after a public hearing and enactment of an ordinance or resolution, building standards that prohibit entirely the use of graywater, or building standards that are more restrictive than the graywater building standards adopted by the ~~department~~ *Department of Housing and Community Development* and published in the California Building Standards Code.

This bill would repeal the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater *and instead authorize the adoption, under specified requirements, of standards that differ from the standards adopted by the department.* The bill would require that an ordinance enacted pursuant to this authority ~~must~~ include the local climatic, geological, or topographical, ~~or any other conditions requiring the more restrictive~~ *different* building standards.

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

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

1 SECTION 1. Section 18941.7 of the Health and Safety Code
2 is amended to read:
3 18941.7. (a) ~~A~~ *Subject to subdivision (b), a city, county, or*
4 *other local agency may adopt, after a public hearing and enactment*
5 *of an ordinance or resolution, building standards that are more*
6 *restrictive than differ from the graywater building standards adopted*
7 *by the Department of Housing and Community Development under*
8 *Section 17922.12 and published in the California Building*
9 *Standards Code.*

10 (b) An ordinance adopted pursuant to subdivision (a) ~~must~~ *shall*
11 *include the local climatic, geological, or topographical, or any*
12 *other conditions that require more restrictive necessitate building*
13 *standards than different from the graywater building standards*
14 *adopted by the Department of Housing and Community*
15 *Development under Section 17922.12 and published in the*
16 *California Building Standards Code.*

17 SEC. 2. It is the intent of the Legislature ~~to enact legislation~~
18 ~~to encourage the installation and implementation of residential and~~
19 ~~commercial water use efficiency measures, including, but not~~
20 ~~limited to, graywater and storm retention systems, to reduce or~~
21 ~~eliminate regulatory barriers for water use and efficiency, and if~~
22 ~~feasible, to provide incentives to increase investment in and use~~
23 ~~of graywater systems in as many structures as possible throughout~~
24 ~~the state by requiring adherence to a uniform code, and to clarify~~
25 ~~that divergent standards not meeting the requirements of Section~~
26 ~~1 of this act should not be applied to graywater systems.~~

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