



## Summary of Monterey County Water Resources Agency Ordinance No. 3932

### Section 6. Mandatory water conservation regulations.

#### **U. Retrofitting upon change of ownership or use.**

- i. All existing residential structures shall, at the time of change of ownership, be retrofitted, if not already so, as follows:
  - a. All shower heads shall have a maximum flow capacity of 2.5 gallons per minute;
  - b. Each toilet shall be replaced with an ultra-low flow toilet with a maximum tank size or flush capacity of 1.6 gallons.
- ii. All existing commercial and industrial structures shall, at the time of change of ownership or change of use, be retrofitted, if not already so, as follows:
  - a. All showerheads shall have a maximum flow capacity of 2.5 gallons per minute.
  - b. Each toilet shall be replaced with an ultra-low flow toilet with a maximum tank size or flush capacity of 1.6 gallons.
- iii. Before the close of escrow for any change of ownership, defined by this ordinance, of real property within the regulatory jurisdiction of the Agency, compliance with the above requirements shall be verified by submittal of a completed certification form prescribed by the Agency, signed by the selling owner(s) or authorized agent(s), and accompanied by one of the following: (1) a signed building inspection report, (2) a signed purveyor inspection report, (3) a plumber or contractor's completed work order, or (4) an original purchase receipt to the Agency or to such other city or county official as the General Manager may designate.
- iv. This sub-section U applies to all properties that enter escrow on or after the effective date of this ordinance. (August 22, 1997)
- v. This ordinance does not impose upon the real estate or escrow agency any liability in connection with a violation of this sub-section U.
- vi. The General Manager may waive the proof of retrofit before close of escrow requirement of sub-section U.iii where the seller and buyer certify that the structure will begin to be remodeled or modified within one hundred and twenty (120) days of the close of escrow, and that the structure will be exclusively retrofitted with low water-use fixtures upon completion of construction.

**NOTE: Plumbing permits may be required for replacement of fixtures. Please check with your local jurisdiction.**

#### Summary of Other Mandatory Water Conservation Regulations

- Remodeling which adds a bathroom or increases the existing square footage by at least 25% must include plumbing retrofit of the entire structure.
- Plumbing leaks must be repaired within 72 hours of their discovery.
- Any hose used for washing vehicles must have an automatic shutoff nozzle.
- No water may be used wastefully or without reasonable purpose.
- Any hose used for washing the outside of any building must have a shutoff nozzle.
- Hosing off the sidewalk, driveway, etc. is prohibited, except in matters of public health or safety. The use of a bucket for such tasks is not prohibited.
- Allowing water to spill into streets, curbs or gutters, in excess of beneficial use, is prohibited.
- Emptying and refilling pools and spas is prohibited, except where necessary to prevent or repair structural damage or to comply with public health regulations.
- Fountains may only use water recycled within the system.
- Repeated violations may result in fines.

#### Instructions for Extension

- Seller completes all except the verification of completion portion of the *Water Conservation Certification* form, checking the extension request box. Buyer initials the form near the extension request box to acknowledge the agreement. A **photocopy** of the form is submitted to the MCWRA; the buyer retains the **original** form.
- The MCWRA holds the copy in lieu of the original form for no more than 120 days. The extension is considered granted upon submittal of the copy of the form (the MCWRA will verify receipt only upon request).
- Buyer completes the remainder of the original form when retrofit is complete, attaches verification, and submits it to the MCWRA.