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**HOUSE BILL 1435**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Buys, Pike, and Springer

AN ACT Relating to adoption of the International Plumbing Code as an alternative recognized building code; amending RCW 19.27.031 and 19.27.170; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that minimizing construction and long-term maintenance costs of buildings is in the public interest. The legislature further finds that providing flexibility in building construction methods can result in efficient, resilient, and sustainable buildings, help local communities achieve their goals of increasing affordable housing, and ease code administration and enforcement, all of which benefits the safety and welfare of building owners, occupants, and the general public. Providing the option for the citizens to benefit from the material and labor efficiencies provided by the international plumbing code and innovations approved in accordance with the international organization for standardization are in line with Governor Inslee's Results Washington goal of improving nonelectrical energy efficiency of building and industrial processes to reduce greenhouse gas emissions.

**Sec.**  RCW 19.27.031 and 2015 c 11 s 2 are each amended to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1)(a) The International Building Code, published by the International Code Council, Inc.;

(b) The International Residential Code, published by the International Code Council, Inc.;

(2) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4)(a) Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted; and

(b) As an alternative code, and not in addition to the code in (a) of this subsection, the International Plumbing Code, published by the International Code Council, Inc., with the exception of sections 104.4, 108.7, and 109 and Appendix A of such Code, which are not adopted;

(5) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and

(6) The state's climate zones for building purposes are designated in RCW 19.27A.020(3) and may not be changed through the adoption of a model code or rule.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

**Sec.**  RCW 19.27.170 and 1991 c 347 s 16 are each amended to read as follows:

(1) The state building code council shall adopt rules under chapter 34.05 RCW that implement and incorporate the water conservation performance standards in subsections (4) and (5) of this section. These standards shall apply to all new construction and all remodeling involving replacement of plumbing fixtures in all residential, hotel, motel, school, industrial, commercial use, or other occupancies determined by the council to use significant quantities of water.

(2) The legislature recognizes that a phasing-in approach to these new standards is appropriate. Therefore, standards in subsection (4) of this section shall take effect on July 1, 1990. The standards in subsection (5) of this section shall take effect July 1, 1993.

(3) No individual, public or private corporation, firm, political subdivision, government agency, or other legal entity may, for purposes of use in this state, distribute, sell, offer for sale, import, install, or approve for installation any plumbing fixtures unless the fixtures meet the standards as provided for in this section.

(4) Standards for water use efficiency effective July 1, 1990.

(a) Standards for waterclosets. The guideline for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

|  |  |
| --- | --- |
| Tank-type toilets  | 3.5 gpf. |
| Flushometer-valve toilets  | 3.5 gpf. |
| Flushometer-tank toilets  | 3.5 gpf. |
| Electromechanical hydraulic toilets  | 3.5 gpf. |

(b) Standard for urinals. The guideline for maximum water use allowed for any urinal is 3.0 gallons per flush.

(c) Standard for showerheads. The guideline for maximum water use allowed for any showerhead is 3.0 gallons per minute.

(d) Standard for faucets. The guideline for maximum water use allowed in gallons per minute (gpm) for any of the following faucets and replacement aerators is the following:

|  |  |
| --- | --- |
| Bathroom faucets  | 3.0 gpm. |
| Lavatory faucets  | 3.0 gpm. |
| Kitchen faucets  | 3.0 gpm. |
| Replacement aerators  | 3.0 gpm. |

(e) Except where designed and installed for use by ((~~the physically handicapped~~)) individuals with physical disabilities, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing).

(f) No urinal or watercloset that operates on a continuous flow or continuous flush basis shall be permitted.

(5) Standards for water use efficiency effective July 1, 1993.

(a) Standards for waterclosets. The guideline for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

|  |  |
| --- | --- |
| Tank-type toilets  | 1.6 gpf. |
| Flushometer-tank toilets  | 1.6 gpf. |
| Electromechanical hydraulic toilets  | 1.6 gpf. |

(b) Standards for urinals. The guideline for maximum water use allowed for any urinal is 1.0 gallons per flush.

(c) Standards for showerheads. The guideline for maximum water use allowed for any showerhead is 2.5 gallons per minute.

(d) Standards for faucets. The guideline for maximum water use allowed in gallons per minute for any of the following faucets and replacement aerators is the following:

|  |  |
| --- | --- |
| Bathroom faucets  | 2.5 gpm. |
| Lavatory faucets  | 2.5 gpm. |
| Kitchen faucets  | 2.5 gpm. |
| Replacement aerators  | 2.5 gpm. |

(e) Except where designed and installed for use by ((~~the physically handicapped~~)) individuals with physical disabilities, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by water pressure when unattended (self-closing).

(f) No urinal or watercloset that operates on a continuous flow or continuous basis shall be permitted.

(6) The building code council shall establish methods and procedures for testing and identifying fixtures that meet the standards established in subsection (5) of this section. The council shall use the testing standards designated as American national standards, written under American national standards institute procedures or other widely recognized national testing standards. The council shall either review test results from independent testing laboratories that are submitted by manufacturers of plumbing fixtures or accept data submitted to and evaluated by the international association of plumbing and mechanical officials. The council shall publish and widely distribute a current list of fixtures that meet the standards established in subsection (5) of this section. The building code council shall recognize conformity assessments for standards established in subsections (1), (4), and (5) of this section that are certified pursuant to the international organization for standardization/international electrotechnical commission standard number 17065 for products, materials, processes, and services for the testing and listing of fixtures and fittings.

(7) The building code council shall adopt rules for marking and labeling fixtures meeting the standards established in subsection (5) of this section.

(8) This section shall not apply to fixtures installed before July 28, 1991, that are removed and relocated to another room or area of the same building after July 28, 1991, nor shall it apply to fixtures, as determined by the council, that in order to perform a specialized function, cannot meet the standards specified in this section.

(9) The water conservation performance standards shall supersede all local government codes. After July 1, 1990, cities, towns, and counties shall not amend the code revisions and standards established under subsection (4) or (5) of this section.

**--- END ---**