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**SUBSTITUTE HOUSE BILL 2109**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Housing (originally sponsored by Representatives Locke and Nelson).

Read first time March 5, 1991.

1       AN ACT Relating to water use efficiency; and amending RCW  
2 19.27.170.

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

4       **Sec. 1.** RCW 19.27.170 and 1989 c 348 s 8 are each amended to read  
5 as follows:

6       (1) The state building code council shall adopt rules under chapter  
7 34.05 RCW that implement and incorporate the water conservation  
8 performance standards in subsections (~~((3))~~) (4) and (~~((4))~~) (5) of  
9 this section. These standards shall apply to all new construction and  
10 all remodeling involving replacement of plumbing fixtures in all  
11 residential, hotel, motel, school, industrial, commercial use, or other  
12 occupancies determined by the council to use significant quantities of  
13 water.

14       (2) The legislature recognizes that a phasing-in approach to these  
15 new standards is appropriate. Therefore, standards in subsection

1 (~~(3)~~) (4) of this section shall take effect on July 1, 1990. The  
2 standards in subsection (~~(4)~~) (5) of this section shall take effect  
3 July 1, (~~1993~~) 1992.

4 (3) Effective July 1, 1992, no individual, public or private  
5 corporation, firm, political subdivision, government agency, or other  
6 legal entity for purposes of use in this state, shall distribute, sell,  
7 offer for sale, import, install or approve for installation any  
8 plumbing fixtures unless the fixtures meet the standards as provided  
9 for in subsection (5) of this section.

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

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

- 14 Tank-type toilets..... 3.5 gpf.
- 15 Flushometer-valve toilets..... 3.5 gpf.
- 16 Flushometer-tank toilets..... 3.5 gpf.
- 17 Electromechanical hydraulic toilets..... 3.5 gpf.

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

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

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

- 25 Bathroom faucets..... 3.0 gpm.
- 26 Lavatory faucets..... 3.0 gpm.
- 27 Kitchen faucets..... 3.0 gpm.
- 28 Replacement aerators..... 3.0 gpm.

29 (e) Except where designed and installed for use by the physically  
30 handicapped, lavatory faucets located in restrooms intended for use by

1 the general public must be equipped with a metering valve designed to  
2 close by spring or water pressure when left unattended (self-closing).

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

5 (~~(4)~~) (5) Standards for water use efficiency effective July 1,  
6 (~~1993~~) 1992.

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

10 Tank-type toilets..... 1.6 gpf.

11 Flushometer-tank toilets..... 1.6 gpf.

12 Electromechanical hydraulic toilets..... 1.6 gpf.

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

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

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

20 Bathroom faucets..... 2.5 gpm.

21 Lavatory faucets..... 2.5 gpm.

22 Kitchen faucets..... 2.5 gpm.

23 Replacement aerators..... 2.5 gpm.

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

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

1       ~~((5) The building code council shall make an assessment regarding~~  
2 ~~the low volume fixtures required under subsection (4) of this section.~~  
3 ~~The assessment shall consider the availability of low volume fixtures~~  
4 ~~which are technologically feasible, will operate effectively, and are~~  
5 ~~economically justified. The council shall also assess the potential~~  
6 ~~impact on the necessary flow or water required to insure sewerage or~~  
7 ~~septic lines and treatment plants will effectively operate.~~

8       ~~The council shall submit a report to the chief clerk of the house~~  
9 ~~of representatives and the secretary of the senate by October 30, 1992,~~  
10 ~~setting forth its conclusions, and any recommendations for legislative~~  
11 ~~action.))~~

12       (6) The building code council shall establish methods and  
13 procedures for testing and identifying fixtures that meet the standards  
14 established in this section. The council shall use the testing  
15 standards designated as American national standards, written under  
16 American national standards institute procedures or other widely  
17 recognized national testing standards. The council shall either review  
18 test results from independent testing laboratories that are submitted  
19 by manufacturers of plumbing fixtures or accept data submitted to and  
20 evaluated by the international association of plumbing and mechanical  
21 officials. The council shall publish and widely distribute an up-to-  
22 date list of fixtures that meet the standards of this section.

23       (7) The building code council shall adopt rules, meeting the  
24 standards of this section, for marking and labeling fixtures.

25       (8) The provisions of this section do not apply to fixtures  
26 installed prior to the effective date of this section that are removed  
27 and relocated to another room or area of the same building after the  
28 effective date of this section, nor shall they apply to fixtures, as  
29 determined by the council, that, in order to perform a specialized  
30 function, cannot meet the standards specified in this section.

1        (9) The water conservation performance standards shall supersede  
2 all local government codes. After July 1, 1990, cities, towns, and  
3 counties shall not amend the code revisions and standards established  
4 under subsection (~~(3)~~) (4) or (~~(4)~~) (5) of this section.