



ADDENDUM TO REAL ESTATE TRANSFER DISCLOSURE STATEMENT
LOCAL DISCLOSURE REGARDING
PLUMBING FIXTURE RETROFIT REGULATIONS

This form is to be used when the Seller's property, whether residential, commercial, or industrial, is situated within:

- The unincorporated County area,
- Outside of the City of Santa Cruz Water Service area and the Soquel Creek Water District Service area.

Summary of Ordinance

Authority: Santa Cruz County Code Chapter 7.69

All existing residential, commercial, and industrial buildings that use water in showers, toilets, and urinals, shall, at the time of sale of the property, be retrofitted exclusively with high efficiency plumbing fixtures. The Seller shall be responsible for complying with the requirements of this chapter and for obtaining a water conservation certificate from the County of Santa Cruz Water Conservation Program before the sale of the property, unless both the seller and the buyer agree to transfer the responsibility to the buyer.

High Efficiency Plumbing Standards

Toilets: 1.28 gallons per flush; Showerheads: 2.0 gallons per minute; Urinals: 0.5 gallon per flush

Certification

Seller must provide Buyer with a written certification of compliance with the requirements of this ordinance stating that the water conservation devices have been installed or that the installation of devices is not required because of the specific exemption(s) allowed under this law.

Option to Transfer Responsibility for Retrofitting to the Buyer

The Seller and Buyer may mutually agree to transfer responsibility for retrofitting to the Buyer. The Seller is required to submit a Transfer of Responsibility form, approved by the Buyer, to the County of Santa Cruz Water Conservation Program before the property is sold. The Buyer has ninety (90) calendar days from the date of the sale of the property to perform the retrofit and verify compliance.

Exemptions

A. The requirement for the installation of water conservation retrofit devices on showers shall not apply to any of the following:

1. Any emergency shower installed for health or safety purposes that cannot safely operate with a maximum flow rate that does not exceed 2.5 gallons per minute;
2. When the retrofit of a shower fixture to comply with this chapter would require a significant expense (approval required);
3. Any shower that will not function properly after being retrofitted in accordance with this chapter (Ord. 4698 § 2 (part), 1/07/03) (approval required).

B. The requirement for the installation of ultra low flush toilets shall not apply to any of the following:

1. Any toilet that already uses 1.6 gallons per flush or less;
2. When the retrofit of a toilet fixture to comply with this chapter would require a significant expense (Ord. 4781 § 1 (part), 4/05/05) (approval needed);
3. Any toilet that will not function properly after being retrofitted in accordance with this chapter (Ord. 4698 § 2 (part), 1/07/03) (approval needed).

Failure to Comply

If the seller fails to comply with the retrofit requirements, the buyer shall install the high efficiency plumbing fixtures within 90 days from the date of sale. Any seller who fails to comply with the requirements of this chapter may be liable to the buyer in the amount of two hundred and fifty dollars (\$250) for each fixture that does not comply with this chapter at the time of sale, or the actual costs of the buyer to comply with this chapter, whichever amounts are greater. Violation of these requirements is also deemed an infraction.

The undersigned hereby acknowledges receipt of a copy of this Addendum.

Date _____	Date _____
Buyer _____	Seller _____
Buyer _____	Seller _____