

**ORDINANCE NO. 2961-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 16.24 (UNIFORM PLUMBING CODE) OF TITLE 16 (BUILDING AND CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL CODE, WITH CERTAIN AMENDMENT THERETO**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16.24 AMENDED. Chapter 16.24, SECTION 16.24.030 (Regulations for Graywater Systems) is hereby added to read as set forth in Exhibit "A" attached and incorporated by reference.

SECTION 2. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 3. CEQA EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in *The Sun*, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on \_\_\_\_\_, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
David E. Kahn, City Attorney

**Chapter 16.24**

**PLUMBING CODE**

**16.24.010. Title.**

**16.24.020. Adoption by reference.**

**16.24.025. Administration.**

**16.24.010. Title.**

This chapter shall be known and may be cited and referred to as the “Plumbing Code for the City of Sunnyvale.”

**16.24.020. Adoption by reference.**

The “2010 California Plumbing Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Plumbing Code of the City of Sunnyvale.

**16.24.025. Administration.**

2010 California Plumbing Code Chapter 1 Division II is hereby amended as follows:

California Plumbing Code Chapter 1 Division II is hereby replaced by the applicable provisions of Chapters 16.16 and 16.17.

**16.24.030. Nonpotable Water Reuse Systems**

2010 California Plumbing Code Chapter 16A is amended to read as follows:

**1604A.1 Groundwater Depth.** Adequate groundwater separation shall be demonstrated to the satisfaction of the Enforcing Agency per the requirements below. Adequate demonstration of the requirements can be shown through documented seasonal high groundwater levels within the area or if there is no evidence of groundwater in a test hole of the required depth.

Clothes washer system or simple system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within five (5) vertical feet (1,524 mm) of groundwater.

Complex system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within ten (10) vertical feet (3,048 mm) of groundwater.

**1607A.0 Required Area of Irrigation or Disposal Fields.** Irrigation or disposal fields may have one or more valved zones. Each zone must be of adequate size to receive the graywater anticipated in that zone. No irrigation or disposal field shall extend to a depth where graywater contaminates the groundwater, ocean water or surface water. The applicant shall supply evidence of groundwater depth to the satisfaction of the Enforcing Agency in accordance with the requirements in Section 1604A.1.