
HOUSE BILL 1187

State of Washington

61st Legislature

2009 Regular Session

By Representatives Chase and Hunt

Read first time 01/14/09. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to solar water heater systems; and adding new
2 sections to chapter 19.27 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) On or after January 1, 2012, a building
5 permit may not be issued for a single-family dwelling that does not
6 include a solar water heater system that meets the standards
7 established under section 2 of this act unless a city or county
8 building code enforcement authority approves a variance. A variance
9 may only be approved if a city or county building code officer attests
10 that:

- 11 (a) Installation is impracticable due to poor solar resource;
- 12 (b) Installation is cost-prohibitive based upon a life-cycle cost-
13 benefit analysis that incorporates the average residential utility bill
14 and the cost of the new solar water heater system with a life cycle
15 that does not exceed fifteen years;
- 16 (c) A substitute renewable energy system is used as the primary
17 energy source for heating water. For the purposes of this section, a
18 renewable energy system means a new system that captures and converts

1 a renewable source of energy, such as wind, heat, or light from the sun
2 into: (i) A usable source of thermal or mechanical energy; (ii)
3 electricity; or (iii) fuel; or

4 (d) A demand water heater device is installed and at least one
5 other gas appliance is installed in the dwelling. For the purposes of
6 this section, demand water heater means a gas-tankless instantaneous
7 water heater that provides hot water only as it is needed.

8 (2) A request for a variance must be submitted to the city or
9 county building code enforcement authority on an application prescribed
10 by the state building code council and must include, but not be limited
11 to, a description of the location of the property and justification for
12 the approval of a variance using the criteria established by the state
13 building code council under section 2 of this act. A variance is
14 deemed approved if not denied within thirty working days after receipt
15 of the variance application.

16 NEW SECTION. **Sec. 2.** By December 1, 2009, the state building code
17 council, in consultation with the energy policy division of the
18 department of community, trade, and economic development, shall:

19 (1) Adopt standards for solar water heater systems to include, but
20 not be limited to, specifications for the performance, materials,
21 components, durability, longevity, proper sizing, installation, and
22 quality; and

23 (2) Establish an application for a variance and the criteria for
24 which a variance is permitted by a city or county building code
25 enforcement authority.

26 NEW SECTION. **Sec. 3.** (1) Beginning January 15, 2013, city and
27 county building code enforcement authorities shall report to the state
28 building code council for the previous calendar year regarding:

- 29 (a) The number of solar water heater systems installed;
- 30 (b) The number of variances issued; and
- 31 (c) A description of why the variances were issued.

32 (2) Beginning January 31, 2013, the state building code council
33 shall report annually to the energy policy division of the department
34 of community, trade, and economic development and the legislature
35 regarding:

1 (a) The number of solar water heater systems installed statewide
2 and by city and county building code enforcement jurisdictions for the
3 previous calendar year;

4 (b) The number of variances issued statewide and by city and county
5 building code enforcement jurisdictions for the previous calendar year;
6 and

7 (c) An analysis of the reasons variances were approved by city and
8 county building code enforcement authorities.

9 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each
10 added to chapter 19.27 RCW.

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