

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1236  
Committee Substitute Favorable 5/6/09  
Third Edition Engrossed 5/13/09  
PROPOSED SENATE COMMITTEE SUBSTITUTE H1236-PCS50782-RI-49

Short Title: Promote Water Use Efficiency.

(Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND  
3 WATER USE EFFICIENCY MEASURES BY COMMERCIAL CAR WASHES.

4 Whereas, North Carolina recognizes that water is our most basic and precious  
5 natural resource; and

6 Whereas, North Carolina has experienced extreme drought in the past several years  
7 and expects to experience extreme drought in the future; and

8 Whereas, the efficient use of water is of utmost importance; and

9 Whereas, the best and least expensive source of "new" water is improved efficiency  
10 in water use; and

11 Whereas, North Carolina should reward and promote best management practices  
12 and leadership efforts in water efficiency; and

13 Whereas, there are voluntary efforts underway that encourage and promote water  
14 use efficiency; and

15 Whereas, there are commercial car washes that are currently utilizing water  
16 conservation measures to the maximum extent possible; Now, therefore,

17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** G.S. 143-355.2 is amended by adding a new subsection to read:

19 "(h1) A trade or professional organization representing commercial car washes may  
20 establish a voluntary water conservation and water use efficiency certification program to  
21 encourage and promote the use of year-round water conservation and water use efficiency  
22 measures as follows:

23 (1) A water conservation and water use efficiency certification may only be  
24 issued to a person that demonstrates that water use from its water consuming  
25 processes is reduced by and maintained at twenty percent (20%) or more  
26 below the yearly average water use for the calendar year preceding  
27 application for certification. In order to receive and maintain certification, a  
28 person must have its facility inspected on an annual basis by a licensed  
29 plumbing contractor who will confirm that the applicant is in compliance  
30 with the standards of the certification program.

31 (2) A unit of local government that provides public water service or a large  
32 community water system shall recognize and credit a commercial car wash



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1 that has met the standards of a certification program for at least six months  
2 prior to the most recent extreme drought designation for water conservation  
3 achieved under the program. To the extent that a tiered response stage in the  
4 water shortage response plan requires commercial or industrial users to  
5 implement a percentage reduction in use, a car wash certified under a  
6 program shall be credited with the percentage reduction achieved by  
7 measures implemented under the program. Car washes certified under a  
8 program shall not be required to reduce consumption more than any other  
9 class of commercial or industrial water users during a water shortage  
10 emergency.

11 (3) To qualify as an approved water conservation and water use efficiency  
12 certification program, the Department of Environment and Natural  
13 Resources shall determine that the program effectively utilizes industry best  
14 management practices for the efficient use of water and achieves year-round  
15 reductions in water use. Best management practices may include, but are not  
16 limited to, recycling, reclaiming, or reusing a portion of the water in the  
17 consuming processes. If a unit of local government that provides public  
18 water service or a large community water system determines that a person  
19 certified under such a program is not complying with the terms and  
20 standards of the certification program, it may refuse to recognize and credit  
21 the conservation measures."

22 **SECTION 2.** This act becomes effective January 1, 2010.