

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-480
HOUSE BILL 1236**

**AN ACT TO PROMOTE VOLUNTARY, YEAR-ROUND WATER CONSERVATION AND
WATER USE EFFICIENCY MEASURES BY COMMERCIAL CAR WASHES.**

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

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

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

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

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

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

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

The General Assembly of North Carolina enacts:

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

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

- (1) A water conservation and water use efficiency certification may only be issued to a person that demonstrates that water use from its water consuming processes is reduced by and maintained at twenty percent (20%) or more below the yearly average water use for the calendar year preceding application for certification. In order to receive and maintain certification, a person must have its facility inspected on an annual basis by a licensed plumbing contractor who will confirm that the applicant is in compliance with the standards of the certification program.
- (2) A unit of local government that provides public water service or a large community water system shall recognize and credit a commercial car wash that has met the standards of a certification program for at least six months prior to the most recent extreme drought designation for water conservation achieved under the program. To the extent that a tiered response stage in the water shortage response plan requires commercial or industrial users to implement a percentage reduction in use, a car wash certified under a program shall be credited with the percentage reduction achieved by measures implemented under the program. Car washes certified under a program shall not be required to reduce consumption more than any other class of commercial or industrial water users during a water shortage emergency.
- (3) To qualify as an approved water conservation and water use efficiency certification program, the Department of Environment and Natural Resources shall determine that the program effectively utilizes industry best management practices for the efficient use of water and achieves year-round reductions in water use. Best management practices may include, but are not



limited to, recycling, reclaiming, or reusing a portion of the water in the consuming processes. If a unit of local government that provides public water service or a large community water system determines that a person certified under such a program is not complying with the terms and standards of the certification program, it may refuse to recognize and credit the conservation measures."

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

In the General Assembly read three times and ratified this the 6th day of August, 2009.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 1:22 p.m. this 26th day of August, 2009