

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 8.92 TO TITLE 8 OF THE PASADENA MUNICIPAL CODE ENTITLED "BUILDING ELECTRIFICATION"

WHEREAS, according to the Pasadena Climate Action Plan as of 2009, forty-seven percent (47%) of Pasadena's community-wide greenhouse gas emissions derive from buildings of residential and commercial occupancies; and,

WHEREAS, human activities, such as burning natural gas to heat buildings or cook food, releases greenhouse gases into the atmosphere and contributes to an overall increase in global average temperature, and increases in global average temperatures cause more extreme and frequent weather events; and,

WHEREAS, greenhouse gas emissions can be reduced by limiting natural gas combustion and the use of gas appliances, both of which emit a wide range of air pollutants including carbon dioxide, nitrogen oxides, and particulate matter. Such pollutants have been linked to various acute and chronic health effects, exceed levels set by national and California-based ambient air quality standards, and contribute to the global average temperature increase resulting in more extreme and frequent weather events; and,

WHEREAS, building electrification would reduce or remove fossil-fuel sources in certain buildings, thereby increasing indoor air quality, providing greater healthful conditions, and allowing building occupants a more enjoyable experience while occupying electrified buildings; and,

WHEREAS, the most cost-effective time to integrate electrical infrastructure is in the design phase of a building project because building systems and spaces can be

designed to optimize the performance of electrical systems inasmuch as projects can take full advantage of avoided costs and space requirements; and,

WHEREAS, incorporating Building Electrification into design and construction of certain newly constructed buildings would meet the Energy Conservation and Efficiency strategy of Pasadena's Climate Action Plan in the reduction of greenhouse gas emissions; and,

WHEREAS, by reducing or removing sources of combustion in a building, a higher order of safety is achieved with no burning flames, no piping containing fossil-fuels, and zero leakage of gaseous fuels released into the building or supply lines; and,

WHEREAS, The City of Pasadena Department of Water and Power has forecasted sufficient capacity from electrical grid sources to support Building Electrification and other goals incorporating electrical energy, power from the Department is amply available, reliable, and increasingly cleaner;

Now, therefore, the People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

"SUMMARY

Ordinance No. _____. This proposed ordinance adds Chapter 8.92 regarding Building Electrification to Title 8 of the Pasadena Municipal Code. Ordinance No. _____ shall take effect upon its publication by title and summary. The full text of the ordinance is on file in the Clerk's office."

SECTION 2. A new Chapter 8.92 is added to Title 8 of the Pasadena Municipal Code to read as follows:

“8.92.010 - Title.

This Chapter shall be known and designated as "Building Electrification".

8.92.020 - Purpose and intent.

The purpose of this Chapter is to ensure the future health, quality of life and general welfare of the residents, visitors, business owners, employees of business owners of the City of Pasadena by requiring building electrification in certain newly constructed buildings.

8.92.030 - Definitions.

For the purposes of interpreting this Chapter, the following terms are defined as follows. When the definitions below differ from those contained elsewhere in the Pasadena Municipal Code, the provisions of this Chapter shall apply.

- A. “Building electrification” is a building where electricity, including non-fossil-fuel produced electricity, is the main source of energy for water heating (including pools and spas), space heating, space cooling, cooking and clothes drying, and does not utilize fossil-fuels of a gaseous or liquid state within the building.
- B. “Commercial Kitchen” is a food facility devoted to the commercial preparation, production, and cooking of food and beverages.
- C. “Emergency Use” means use of non-utility generated electrical power applied to equipment and incidents required to have emergency power by the current edition of the California Building Code, and/or California Fire Code, and as allowed for occupancies listed in Section 8.92.060, Exception 3 of this Chapter.

- D. "Equipment for Emergency Use" means equipment that utilizes combustible fossil-fuels as a source for conversion or as a prime-mover to produce electric energy.
- E. "Essential Building" is a building for public agencies used as a fire station, police or law enforcement station, emergency operations center, emergency communication dispatch center, or any public agency building that may be used in preparation of, during and after emergencies, disasters, or for local, regional or national security.
- F. "Food Service Establishment" means a building with a Commercial Kitchen or cooking equipment where food or beverages are prepared and served for consumption on-site or off-site.
- G. "Natural Gas" means a fuel gas which is natural or manufactured liquefied petroleum, or a mixture of these.
- H. "Newly-Constructed" means a building that is not in existence or has not been previously erected, or, a building that has never before been used or occupied for any purpose. Newly constructed also means additions.

8.92.040 - Requirements.

Electrification of buildings shall apply to:

1. Newly-constructed multi-family buildings greater than 3 units.
2. Newly-constructed mixed-use buildings.
3. Newly-constructed commercial buildings.
4. Existing commercial buildings with new additions where the addition adds fifty-percent (50%) or more of the existing square foot area. In such cases, the entire building must convert to complete electrification.

8.92.050 - Applicability

The requirements of this Chapter shall apply to entitlement projects that have not been deemed complete prior to the effective or implementation date of this Chapter, or where an entitlement is not required, the project has not submitted a

complete building permit application prior to the effective or implementation date of this Chapter.

8.92.060 - Exceptions.

Electrification of buildings will not apply to any of the following:

1. Newly-constructed, existing, or additions to single family dwellings. Newly-constructed, added or converted Accessory Dwelling Units and Junior Accessory Dwelling Units on single family or multi-family properties.
2. Food service establishments and commercial kitchens; however, equipment and appliances that can utilize electric energy are encouraged to be utilized to the highest extent possible.
3. Essential buildings, medical-health care facilities, research and development laboratories, equipment for emergency use and other special occupancies with fossil-fuel equipment directly related to the operations are necessary and where electric alternatives could jeopardize critical operations, occupant safety or patient care.
4. Where the cost of electric utility infrastructure and supply upgrades exceed the cost of the entire project. The entire project cost shall be based on the cost of an electrified building (without natural gas).
5. For certain and specific equipment where electrical operating costs would exceed natural gas or fossil-fuel operating costs by more than 1,000% per annum.
6. Buildings that utilize non-fossil fuels for non-fossil fuel approved equipment. Non-fossil fuel types, and equipment are subject to approval by the Building Official and Fire Chief.
7. Modifications pursuant to Section 104.10 of the California Building Code with authority granted to the Building Official for individual cases where compliance with this Chapter is proven to have practical difficulties and makes the strict letter of this Chapter impractical.

8.92.070 - Electrification Compliance

Buildings designed and constructed pursuant to the requirements of this Chapter shall meet the requirements of the Pasadena Municipal Code, the Electrical Service Requirements of the Pasadena Department of Water and Power, and the current California Building Standards Code including the California Electrical Code and the California Energy Code.

8.92.080 - Appeals.

If the applicant feels aggrieved by the determination of the Building Official regarding the building electrification requirement, the property owner may appeal to the Board of Appeals, as defined in 14.04.040, within ten days of the Building Official's decision. The appellant shall pay a hearing appeal fee at the time of filing an appeal in an amount as shall be established from time to time by resolution of the City Council. The appellant shall be notified in writing of the date of the hearing on the appeal, and such notice shall be sent at least ten days prior to the date of the hearing, which shall be held no later than thirty days after the filing of the appeal."

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 4. This ordinance shall take effect upon publication by title and summary.

Signed and approved this _____ day of July, 2022.

Victor Gordo
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of July, 2022, by the following vote:

AYES:

NOES:


ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky
City Clerk

Approved as to form:



Lesley Cheung
Assistant City Attorney