Locally Adopted Energy Ordinances

California Energy Commission

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Two Different State Commissions

• All local energy efficiency standards that meet or exceed the California Building Energy Efficiency Standards (Title 24, Part 6) must be approved by the California Energy Commission.

• All local standards that exceed the California Building Code (plumbing, electric, historic, etc) must be filed with the California Building Standards Commission.
Commission Approval

- Only those local energy efficiency ordinances that have been approved by the Energy Commission are legally enforceable.
- Unapproved local ordinances that require buildings under their jurisdiction to be more energy efficient than what is required under the California Building Energy Efficiency Standards, Title 24, Part 6, are not legally enforceable.
- Complaints are investigated and remedies are developed and enforced.

California Energy Commission
www.energy.ca.gov
The Application to the Energy Commission

• Required Documentation
  o A copy of the ordinance.
  o A study or analysis showing the expected energy savings and the cost effectiveness of the ordinance.
  o A statement/finding that the ordinance will require buildings to “consume no more energy than is permitted by (Title 24) Part 6.”
  o The date the ordinance, energy savings and cost-effectiveness study were presented to Council/Board in a Publicly Noticed Meeting.
  o A letter to the Executive Director assuring him that the City/County will continue to enforce Title 24, Part 6 as well as the proposed Ordinance.
  o Evidence of CEQA compliance.

California Energy Commission
www.energy.ca.gov
Your Ordinance Needs Approval if it has any of the Following Elements

• Green Building Standard that includes mandatory energy efficiency requirements that meet or exceed the statewide Standard.

• Using Non-Governmental Certification Programs that meet or exceed the statewide Standard.

• Adopting CALGreen Tier I or II.

• Early Adoption of Energy Standards

• Adoption of stricter energy budgets

• Renewal or Updating Existing Ordinance
Non-Governmental Certification Programs

If the ordinance does NOT require formal certification when codifying a Non-Governmental Certification Program.

The ordinance **must** clearly state that certification is not required.

The ordinance **should** make it clear that compliance with the ordinance does not equal compliance with the Non-Governmental Certification Programs.

California Energy Commission
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Typical Adoption of Stricter Energy Budgets

- Many ordinances target only residential or nonresidential buildings.
- Many include triggers for new construction based on square footage (conditioned or gross) or value.
- Many include additions and alterations to existing buildings based on square footage, percent changed or value.
- Many include historic buildings.
Approved Local Ordinances
2008 Standards

Assumed 5 of the 2008 Local Jurisdictions would update their reach code ordinances.

To date, we have been contacted by approximately 15 local jurisdictions proposing reach codes.

17
15% beyond

15% beyond

Title 24, Part 6
Five of these local jurisdictions have never had reach code before.

126
15% beyond

Assumed 5 of the 2008 Local Jurisdictions would update their reach code ordinances.

To date, we have been contacted by approximately 15 local jurisdictions proposing reach codes.

17
15% beyond

15% beyond

6 guarantee
15% beyond

Standards

Standards

Standards

Standards
2013 Title 24, Part 11, Appendix A4
Newly Constructed Low-Rise Residential

Prerequisites
• Energy Design Rating
• Quality Insulation Instillation
• High Efficacy Lighting

Tier I
• 85% of Energy Budget

Tier II
• 70% of Energy Budget
2013 Title 24, Part 11, Appendix A4
Additions and Alterations to Existing Residential Buildings

Prerequisites
- High Efficacy Lighting
- Lighting Controls

If the addition or alteration includes one or more mechanical systems.

**Tier I**
One system: 95% of Energy Budget
More than one: 90% of Energy Budget

**Tier II**
One system: 90% of Energy Budget
More than one: 85% of Energy Budget

If the addition or alteration changes the envelop with no change to the mechanical systems, then no additional efficiency measures above Title 24, Part 6 are required.
Prerequisites
- Exterior Lighting – 90% of Std.
- Service Water Heating in Restaurants

Tier I
Indoor Lighting or Mechanical:
95% of Energy Budget

Indoor Lighting and Mechanical:
90% of Energy Budget

Tier II
Indoor Lighting or Mechanical:
90% of Energy Budget

Indoor Lighting and Mechanical:
85% of Energy Budget

If the newly constructed building, addition or alternative does not include indoor lighting or mechanical systems, then no additional efficiency measures above Title 24, Part 6 are required.
Evidence of CEQA Compliance

Local agencies must include any findings, determinations, declarations or reports, including any determination of exemption, negative declaration or environmental impact report, that are required by CEQA.

The Energy Commission is required to review and consider any Exemption, EIR or Negative Declaration prepared by the local agency, as well as comments made to the local agency.

California Energy Commission
www.energy.ca.gov
Energy Commission Review of a Complete Application

Ordinance Review

Ensure that buildings will consume no more energy than permitted by Title 24, Part 6.

- Clear requirements to ensure greater energy efficiency.
- Clear statement(s) that Title 24, Part 6 will still be enforced.
- Exceptions or exemptions are explicitly limited to the ordinance and do not affect compliance with Title 24, Part 6.
- Look for elements that may trigger a Federal Preemption.

We will gladly review your draft ordinance.

California Energy Commission
www.energy.ca.gov
IT’S FREE
Resources

California Energy Commission, Approved Local Ordinances
http://www.energy.ca.gov/title24/2013standards/ordinances/

Utility Contacts for Cost Effectiveness Studies

Southern California Edison
Javier Mariscal
Javier.mariscal@sce.com
(626) 302 - 0784

California Building Standards Commission
http://www.bsc.ca.gov/codes/localfilings.aspx