

# TOWN COUNCIL

## August 4, 2021

All-Electric Ordinance  
For New Construction



# BACKGROUND

- At its February 3<sup>rd</sup> meeting, the Town Council considered a request from the Climate Action Committee to require all new residential and commercial construction to be all-electric.
- At its April 21<sup>st</sup> meeting, the Council directed staff to prepare an all-electric ordinance that includes the following provisions:
  - Applies only to new residential and commercial buildings.
  - Exempts commercial kitchens.
- The Council considered the ordinance at its July 7<sup>th</sup> meeting and continued the item to the August 4<sup>th</sup> meeting.

# APPLICABILITY

- Applies to building permit applications submitted on or after the effective date of the ordinance for all “Newly Constructed Buildings.”
  - “Newly Constructed Building” is defined as: *“a building that has never before been used or occupied for any purpose.”*
- Does not apply to rehabs/remodels.
- Does not apply to portable propane appliances for outdoor cooking and heating.
- Ordinance would be effective July 1, 2022.

# REQUIREMENTS

- All Newly Constructed Buildings must be all-electric.
  - Must use a permanent supply of electricity as the source of energy for all space heating, water heating, cooking appliances, and clothes drying appliances.
  - No natural gas infrastructure or propane plumbing installed in the building.
  - Must have sufficient electric capacity, wiring and conduit to facilitate full building electrification.

# EXCEPTIONS/EXEMPTIONS

- Natural gas infrastructure may be permitted if an applicant demonstrates that a Newly Constructed Building cannot meet the Title 24 Building Efficiency Standards under either the prescriptive or performance methods under the California Energy Code.
- Does not apply to certain development projects (e.g., affordable housing).
- Exemption for Newly Constructed Buildings with construction plans for a commercial kitchen, restaurant, or other food service establishment.
- Natural gas infrastructure may be allowed if the use serves a public interest, as determined by the Town.

# RECOMMENDATION

- ▶ Read by title only and introduce ordinance adding Chapter 15.05 entitled “All-Electric Construction in Newly Constructed Buildings” to Title 15 of the Fairfax Municipal Code (first reading).
- ▶ Adoption (second reading) at Sept 1<sup>st</sup> Council meeting.

