

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.



The Application to the **Energy Commission**

- **Required Documentation**
 - A copy of the ordinance.
 - A study or analysis showing the expected energy savings and the cost effectiveness of the ordinance.
 - A statement/finding that the ordinance will require buildings to "consume no more energy than is permitted by (Title 24) Part 6."
 - The date the ordinance, energy savings and cost-effectiveness study were presented to Council/Board in a Publicly Noticed Meeting.
 - 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 All documents may be Ordinance. Submitted electronically to

Joe.Loyer@energy.ca.gov

Evidence of CEQA compliance.

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 ALGreen 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.



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.



Appeated Local Ordinances

2008 Standards

Morgan Hill **Belmont** San Mateo Assamled from the 2008 to Blown sale unisdiction sale uld update the reach code ordinances. Santa Clara Oak land Santa Monica Cotati Daly City 15% abely locad Santa Rosa To date my thave been approximately 15 local letrisdictions proposing reach stockes ley Portola Valley Sonoma County Five of the local jurisdictions have never had reach sade before. \$an A26selmo Manhattath Beach San Sarlos **heyond** Sanbeyandisco Standardsor MeStandards

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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.



2013 Title 24, Part 11, Appendix A5 Newly Constructed & Additions and Alterations Nonresidential



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

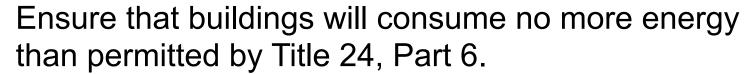
CEQA Lead Agency Local agencies must include any findings, determinations, declarations or reports, including any determination of exemption, negative declaration or environmental impact report, that are required by CEQA.

CEQA Responsible

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.

Energy Commission Review of a Complete Application

Ordinance Review



- 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 Preent

We will gladly review your draft ordinance.





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