

The background is a solid light pink color. In the center is a white, rectangular light switch with two toggle buttons. Scattered around the switch are several 3D-style pink lightning bolts. One bolt is positioned to the left of the switch, one to the top right, one to the right, one to the bottom right, and one to the bottom left. A pink electrical plug is also visible to the right of the switch, partially obscured by the text.

Building Electrification Reach Code

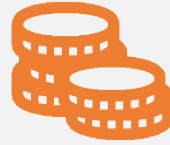
Special City Council Meeting

August 22, 2024.

History

- November 2022 – City adopted a Building Electrification Reach Rode amending California Energy Code (Title 24 Part 6):
 - All **new construction** to be all electric
 - Non-residential and multi-family install PV
 - EV charging required
- CRA vs. City of Berkeley

Reach Code Goals



Cost effective approach to decarbonize the built environment



Help developers and building owners reduce emissions



Improve Health & Safety

CRA vs. City of Berkeley

- 2019 CRA sued Berkeley on their fuel gas piping ban in new buildings
- 3 judge panel of the 9th Circuit Federal Court stuck down Berkeley ordinance
- City of Berkeley requested an en-banc rehearing
- 2024 the 9th Circuit declined to reconsider
- Many jurisdictions with all electric or similar ordinances suspended enforcement

Result



All electric element –
suspended enforcement



Develop an alternative
approach for City Council
consideration

Alternate Options:

Option	What is it	Pro	Con
1. Gas ban through a local amendment to the building code	Complete gas ban – All electric ordinance	Easy to understand Easy to implement	Legally tenuous (Glendale City Council suspended parts of the all electric ordinance)
2. Air Quality Ordinance	Regulates sources of air emissions (NO _x , GHG)	Complete gas ban (minus exemptions) EPCA Compliant Supported by SCAQMD and CARB efforts	Untested legally (some risk) (Sustainability Commission recommended staff research an emissions standard)
3. Single margin source energy code amendment	Establish an energy performance metric more stringent than state code	EPCA Compliant Well established reach code approach	Gas can still be installed in new construction More difficult modeling to show compliance

Recommendation

- Ask that the City Council provide direction to staff to develop an alternative reach code to regulate energy performance that is EPCA compliant and provide pathways to compliance for both mixed fuel and all-electric buildings.



Thank you

Questions?

