

2022 Model All-Electric Municipal Ordinance

Central Coast Community Energy (CCCE) provides a 2022 model of an all-electric municipal ordinance, representing recommended California municipal codes aligned with similar ordinances adopted in recent years by the cities of [Morgan Hill](#), [Berkeley](#), [Santa Cruz](#), [San Jose](#), and several others. Enumeration is generic and intended to serve as structural guidance when integrating with the municipal code, and comments provide explanatory notes.

Please visit CentralCoastReachCodes.org to review related information, including an alternative building code amendment, sample Facts and Findings, potential qualifying exceptions, and other resources.

Version Date	Summary of Updates
August 31, 2022	1st draft

CHAPTER 10.100 – PROHIBITION OF FUEL GAS PLUMBING INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

10.100.010 Applicability

- A. The requirements of this Chapter shall apply to the building permits for all newly constructed buildings proposed to be located in whole or in part within the City.
- B. The prohibition of fuel gas infrastructure shall apply to permit applications on or after the effective date of this Chapter, and in perpetuity.
- C. The requirements of this Chapter shall not apply to the use of portable propane appliances for outdoor cooking or heating.
- D. This chapter shall in no way be construed as amending California Energy Code requirements under California Code of Regulations, Title 24, Part 6, nor as requiring the use or installation of any specific appliance or system as a condition of approval.
- E. The requirements of this Chapter shall be incorporated into conditions of approval for building permits under Municipal Code Chapter XX.

Commented [FF1]: Option to change all instances of 'building permits' to 'land use permits' (also referred to as entitlement permits), though this means fewer projects are captured by the ordinance.

Commented [FF2]: Reference your municipal building permit chapter

10.100.020 Definitions

- A. "Fuel gas" shall be defined as natural, manufactured, liquefied petroleum, or a mixture of these, as defined in the California Mechanical Code.
- B. "Fuel gas infrastructure" shall be defined as fuel gas piping, other than service pipe, in or in connection with a building, structure or within the property lines of premises, extending from the point of delivery at the gas meter, service meter assembly, outlet of the service regulator, service shutoff valve, or final pressure regulator, whichever is applicable, as defined in the California Mechanical Code.
- C. "Newly constructed building" shall be defined as a building that has never before been used or occupied for any purpose, and for the purposes of this Chapter shall include a construction project where an alteration includes replacement or addition of over 50 percent of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing

Building Code Section 202; or when over 50 percent of the existing framing above the sill plate is removed or replaced for purposes other than repair. If either of these criteria are met within a three-year period, measured from the date of the most recent previously obtained permit final date, that structure is considered new construction and shall be subject to provisions of this Chapter. New construction in existing buildings, such as alterations, additions, and tenant improvements, shall not be considered new construction.

10.100.030 Prohibited Fuel Gas Infrastructure in Newly Constructed Buildings

- A. *Fuel gas infrastructure* shall be prohibited in *newly constructed buildings*.
- B. Existing *fuel gas infrastructure* shall not be extended to any system or device within a building. Inactive *fuel gas infrastructure* shall not be activated or otherwise operated.
- C. The requirements of this Chapter shall be deemed objective planning standards under Government Code Section 65913.4 and objective development standards under Government Code Section 65589.5.

10.100.040 Periodic Review of Ordinance

The City shall review the requirements of this ordinance every 18 months for consistency with the California Energy Code and the Energy Commission's mid-cycle amendments and triennial code adoption cycle as applicable.

10.100.050 Severability

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase of this Chapter, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

10.100.060 Termination of Fuel Gas Usage

No later than January 1, 2045, all buildings within [municipality] shall not be served by *fuel gas infrastructure*.

10.100.070 Effective Date

The provisions of this chapter shall become effective on January 1, 2023.