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This document is the product of a collaborative effort, incorporating input and feedback from several entities and experts based on their collective experiences.

Please contact the Codes and Standards Reach Codes Team at info@LocalEnergyCodes.com for additional information.

This program is funded by California utility customers and administered by Pacific Gas and Electric Company, San Diego Gas & Electric Company (SDG&E®), and Southern California Edison Company under the auspices of the California Public Utilities Commission and in support of the California Energy Commission.

Model Ordinance Language for Single Zone Rooftop HVAC Replacements and Installations in Nonresidential Buildings

**Version 1.0**

**August 14, 2025**

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# Changes from Prior Versions

Changes since Version 1.0

* Check the website for the latest version

# Scope

* Certain existing nonresidential buildings in which a single zone rooftop HVAC unit rooftop unit is replaced or added, must either install a heat pump as the primary heating source or, if installing a single zone rooftop unit with a gas furnace as the primary heating source, also install heat recovery ventilation and, in certain climate zones, demand control ventilation.

# Introduction

Amendments to the State Code appear in strikeouts (deletions) and underlines (additions). Such amendments require that the governing body of the local jurisdiction make express findings, including a CEQA determination, and cite the authorities used to adopt the ordinance. Refer to the [Guide for Local Amendments to Building Standards](https://www.dgs.ca.gov/-/media/Divisions/BSC/05-Resources/Guidebooks/Guide-Local-Amend-of-Bldg-Stnds-Rev-July-2024.pdf) for more information. In addition to the requirements specified in the Guide, the California Energy Commission requires that the findings include a statement to the effect that the local governmental agency’s governing body has, at a public meeting, adopted its determination that the standards are cost-effective.

Amendments to the Energy Code must be approved by the [California Energy Commission](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency-3) (CEC). All amendments to the Building Code must be filed with the [California Building Standards Commission](https://www.dgs.ca.gov/BSC/Codes/Local-Amendments-to-Building-Standards---Ordinances).

Jurisdictions may wish to modify elements of the ordinance, such as those marked with the text “[Optional]”. When modifying the language, ensure all references are maintained and that the ordinance still meets the State requirements.

The headings, footnotes and instructions (in blue) are for staff reference and should be removed from the final ordinance.

The draft ordinance text is provided as an example only. Jurisdictions should be aware that there have been legal challenges to policies that prohibit the installation of gas appliances, and while this policy is quite different, there is a risk that it could also be challenged; consultation with the city/county attorney is recommended. Ensure all ordinance materials are reviewed and verified by relevant jurisdiction staff and the city/county attorney.

# Additional Resources

* [Local Ordinance Basics](https://localenergycodes.com/download/1895/file_path/fieldList/Reach%20Codes%20Primer.pdf)
* [Local Energy Codes Options and Opportunities](https://localenergycodes.com/download/1573/file_path/fieldList/LocalEnergyCodes%20-%20Options-Opportunities.pdf)
* [Nonresidential AC to Heat Pump Cost Effectiveness Report](https://localenergycodes.com/download/2049/file_path/fieldList/2025%20NR%20Alterations%20CostEff%20Report.pdf)
* State Submittal Guidance (update forthcoming)

# Model Ordinance

ORDINANCE AMENDING THE [CITY/COUNTY OF JURISDICTION] BUILDING CODE TO REQUIRE ENERGY CONSERVATION MEASURES FOR CERTAIN HEATING, VENTILATION AND AIR CONDITIONER REPLACEMENTS AND INSTALLATIONS IN EXISTING NONRESIDENTIAL BUILDINGS

DELETE ALL BLUE TEXT

## Findings

Amendments to the State Building Code require jurisdictions to make certain express findings; additional findings are required to support amendments to the State Energy Code. Refer to [Guide for Local Amendments of Building Standards](https://www.dgs.ca.gov/-/media/Divisions/BSC/05-Resources/Guidebooks/Guide-Local-Amend-of-Bldg-Stnds-Rev-July-2024.pdf) for more information. Required findings include:

* A declaration of the authorities granted by the State to the jurisdiction to amend the code, which include:
	+ Health and Safety Code sections 17958.7 and 18941.5
	+ Public Resources Code Section 25402.1(h)(2)
	+ Section 10-106 of the Building Energy Efficiency Standards
* A determination that the amendments are reasonably necessary to address local climatic, geological, or topographical conditions
* A determination that the proposed standards are cost-effective and a reference to the supporting analysis
* A declaration that the jurisdiction has, at a public meeting, adopted its determination that the standards are cost-effective
* A determination that the proposed standards are more stringent than the State Energy Code and that they will require buildings to be designed to consume less energy than permitted by the State Energy Code
* Any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act

## Sample Amendments

Chapter *[cite local code section]* of the *[local jurisdiction municipal/county code]*, adoption of the 2025 California Energy Code, Title 24, Part 6, is hereby amended as follows.

Section 141.0(b)2C is amended to add a new subsection iii, to read as follows:

*Context only. Do not include in ordinance:*

C. **New or Replacement Space-Conditioning Systems or Components** other than new or replacement space-conditioning system ducts shall meet the requirements of Section 140.4 applicable to the systems or components being altered and meet the following:

iii. In addition to the requirements in Section 141.0(b)2Cii above, new or replacement single zone packaged rooftop systems with direct expansion cooling with rated cooling capacity of 65,000 Btu/hr or more and less than 240,000 Btu/hr serving Financial Institution, Grocery, Library, Office, School, or Retail occupancies shall meet the applicable requirements specified in Table 141.0-E-1A or shall meet the performance compliance requirements of Section 141.0(b)3.

Table 141.0-E-1A – REQUIREMENTS FOR NEW OR REPLACMENT SZAC or SZHP, GREATER THAN 65,000 BTU/HR AND LESS THAN 240,000 BTU/HR [If there is only one climate zone in the jurisdiction, or if the standards are the same for all climate zones in the jurisdiction, remove the extra column]

|  |  |  |
| --- | --- | --- |
| **System Size**  | CZ X | CZ Y |
| 65,000 to 120,000 Btu/hr  | *Populate from* [*App 1*](#_Appendix_1:_Requirements)*.* | *Populate from* [*App 1*](#_Appendix_1:_Requirements)*.* |
| 120,001 to 240,000 Btu/hr  | *Populate from* [*App 1*](#_Appendix_1:_Requirements)*.* | *Populate from* [*App 1*](#_Appendix_1:_Requirements)*.* |

Notes to Table 141.0-E-1A

[delete lines that are not used in Table 141.0-E-1A]

NR – No Requirement

SZHP – Single Zone Heat Pump

SZAC3 – Single Zone Air Conditioner with Furnace + Heat Recovery Ventilator

SZAC4 - Single Zone Air Conditioner with Furnace + Heat Recovery Ventilator + Demand Control Ventilation

**Exception 1 to Section 141.0(b)2Ciii:** Where the capacity of the existing main electrical service panel is insufficient to supply the electrical capacity of a heat pump and where the existing main electrical service panel is sufficient to supply a new or replacement air conditioner, as calculated according to the requirements of California Electrical Code Article 220. Documentation of electrical load calculations in accordance with Article 220 must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

Include this exception if DCV is required in the local climate zone(s). These exceptions are based on Title 24, Part 6, Section 120.1(d)3.

**Exception 2 to Section 141.0(b)2Ciii:**

Space with a design occupant density, or a maximum occupant load factor for egress purposes in the CBC, less than 25 people per 1,000 square feet (40 square feet or more per person) and where the ventilation system serving the space does not have any of the following, are not required to install demand control ventilation:

A. an air economizer; or

B. modulating outside air control; or

C. design outdoor airflow rate > 3,000 cfm

**Exception 3 to Section 141.0(b)2Ciii:**

Where space exhaust is greater than the design ventilation rate specified in Section 120.1(c)3 minus 0.2 cfm per square foot of conditioned area, demand control ventilation is not required.

**Exception 4 to Section 141.0(b)2Ciii:** Spaces that have processes or operations that generate dusts, fumes, mists, vapors or gases and are not provided with local exhaust ventilation, such as indoor operation of internal combustion engines or areas designated for unvented food service preparation, daycare sickrooms, science labs, barber shops or beauty and nail salons shall not install demand control ventilation.

**Exception 5 to Section 141.0(b)2Ciii:** Spaces with an area of less than 150 square feet, or a design occupancy of less than 10 people as specified by Section 120.1(c)3, are not required to install demand control ventilation.

## Other Sample Ordinance Sections

Section 2: CEQA

This ordinance is exempt from CEQA under 15061(b)(3) on the grounds that these standards are more stringent than the State energy standards, there are no reasonably foreseeable adverse impacts and there is no possibility that the activity in question may have a significant effect on the environment.

Section 3: Severability

If any word, phrase, sentence part, section, subsection or other portion of this amendment 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 amendment, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.  The [name of governing body] hereby declares that it would have passed this amendment and each section, subsection sentence, clause and phrase of this amendment, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases is declared invalid or unconstitutional.

Section 4: Violations

Violation of the requirements of this Chapter shall be considered an infraction of the [jurisdiction Municipal/County Code], punishable by all the sanctions prescribed in [cite local reference to infractions].

Section 5: Effective Date

This ordinance shall become effective as of ***[DATE]***, upon approval of the California Energy Commission or upon the date the California Building Standards Commission accepts the ordinance for filing, whichever is later.

## Appendix 1: Requirements by Climate Zone

Use the table below to populate Table 141.0-E1A.

|  |  |  |
| --- | --- | --- |
| **System Size** | **65,000 to 120,000 Btu/hr** | **120,001 to 240,000 Btu/hr** |
| **CZ 1** | SZHP or SZAC4 | SZHP or SZAC4 |
| **CZ 2** | SZHP or SZAC4 | SZHP or SZAC4 |
| **CZ 3** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ 4** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ 5/PGE** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ5/SCG** | SZHP or SZAC3 | NR |
| **CZ6** | SZHP or SZAC4 | NR |
| **CZ7** | SZHP or SZAC4 | NR |
| **CZ8** | SZHP or SZAC4 | NR |
| **CZ9** | SZHP or SZAC4 | NR |
| **CZ10** | SZHP or SZAC4 | NR |
| **CZ11** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ12** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ13** | SZHP or SZAC3 | SZHP or SZAC3 |
| **CZ14** | SZHP or SZAC3 | NR |
| **CZ15** | SZHP or SZAC3 | NR |
| **CZ16** | SZHP or SZAC3 | SZHP or SZAC3 |

NR – No Requirement

SZHP – Single Zone Heat Pump

SZAC3 – Single Zone Air Conditioner with Furnace + Heat Recovery Ventilator

SZAC4 - Single Zone Air Conditioner with Furnace + Heat Recovery Ventilator + Demand Control Ventilation