**VERSION TRACKING:**

|  |  |  |
| --- | --- | --- |
| **Date** | **Version** | **Description** |
| 5/2/25 | 1.0 | Whereas clauses isolated from [Energy Performance Approach V2.6](https://trccompanies.sharepoint.com/:w:/r/sites/LOB/Power/AE/deliver/RC/Shared%20Documents/R%26C%20Delivery%20Teams%20and%20Resources/Energy%20Codes%20and%20Standards%20Policy%20and%20Development/Energy%20Policy%20Resources/Master%20Tools%20and%20Templates/Master%20Model%20Code%20Resources/Energy%20Performance%20Approach/Energy%20Performance%20Approach%20Model%20Ordinance%20V2.6.docx?d=w56f50e2900ac4e939c0edfd40971d26a&csf=1&web=1&e=lnpYJC) |
| 5/15/25 | 1.1 | Introduced findings paragraphs |
| 6/3/25 | 1.2 | Introduced 2 paths to adopt determination (whereas + finding notation) |
| 6/6/25 | 1.2 | Incorporated CEC feedback |
| 7/24/25 | 1.3 | Added in general plan exemption findings, “substantially equivalent” finding & recital. |
| 9/8/25 | 1.4 | Included findings recommended by SMW |
| 9/24/25 | 1.5 | Additional recitals and findings after BSC memo on 9/19. Adjusted instructions for energy code adoption determinations. Removed comments throughout. Reordered Findings and Recitals for parallel structure. Included table linking SMW memo recommendations, BSC AB130 bulletin requirements to Recitals + findings |
| 10/1/25 | 1.6 | Formatting on customizable text (not done yet) |

**HOW TO USE THIS TEMPLATE:**

Use this document as a starting template and work with legal counsel to modify the language to reflect jurisdiction policy choices and local conditions. This document partners with the model code language.

**LEGEND:**

|  |  |
| --- | --- |
| [Bracketed text highlighted in light grey] | Placeholder text to be customized.  Needs to reflect local conditions, regional authority (i.e. air districts), processes, language preferences, and other ordinance options. |
| [Bracketed text with yellow highlight] | Language for the Two-Way AC and FlexPath policies. For an ordinance that includes Electric Readiness without Two-Way AC and/or Flexpath, see comment beginning “FOR ELECTRIC READINESS ONLY” |

**Template for Existing Building Reach Codes Model Ordinance Recitals & Finding V1.5 (9/30/25)**

**ORDINANCE NO. \_\_\_\_\_\_\_\_\_**

**[AN ORDINANCE OF THE GOVERNING BODY**

**OF THE CITY/TOWN/COUNTY OF JURISDICTION]**

**[AMENDING SUBPARTS/CHAPTERS/DIVISIONS, ETC.\_\_\_\_\_\_\_ AND \_\_\_\_\_\_\_\_ OF THE JURISDICTION CODE TO ADOPT A LOCAL “REACH” CODE AND ADOPTING FINDINGS JUSTIFYING THE LOCAL AMENDMENTS TO THE 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE AND/OR THE 2025 CALIFORNIA ENERGY CODE]**

**WHEREAS,** California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the 2025 California Building Standards Code; and

**WHEREAS,** the 2025 California Energy Code is Part 6 of the 2025 California Building Standards Code which implements minimum energy efficiency standards in buildings through mandatory requirements, prescriptive standards, and performance standards; and

**WHEREAS,** California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5 provide that the [Jurisdiction] may make changes or modifications to the building standards contained in the 2025 California Building Standards Code based upon express findings that such changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS,** human activities that release greenhouse gases into the atmosphere contribute to the increase of the worldwide average temperature, drought conditions, and duration of fire seasons; and

**WHEREAS,** according to the California Department of Forestry and Fire Protection, nine of the ten largest wildfires in California history have occurred since 2017, destroying nearly 10,000 structures and burning of more than 4.5 million acres; and

**WHEREAS,** the [Jurisdiction] is situated along a [wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms]; and

**WHEREAS,** these amendments are reasonably necessary because of health and safety concerns as [Jurisdiction] residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of methane gas; and

**WHEREAS**, removing gas appliances from indoor environments reduces the risk of asthma associated with gas appliances, and removing combustible gas from structures aids in fire hardening and removes a known hazard during firefighting efforts; and

**WHEREAS,** on or about September 20, 2016, the State of California enacted Senate Bill (SB) 32, which added Health and Safety Code Section 38566 to require greenhouse gas emissions to be reduced to 40 percent below 1990 levels by no later than December 31, 2030; and

# **WHEREAS,** consistent with federal law stated in the Energy Policy and Conservation Act, the standards contained within this ordinance permit mixed fuel residential construction; and

# **WHEREAS,** consistent with AB130, the standards contained within this ordinance permit mixed fuel residential construction consistent with federal law while also incentivizing all-electric construction; and

**WHEREAS,** consistent with AB130, the standards imposed by this ordinance incentivize electric equipment through the cost-effective installation of electric appliances while preserving energy-equivalent pathways for mixed-fuel residential appliances; and

**[WHEREAS,** pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the proposed amendments meet the following conditions to demonstrate local amendments are necessary: the changes are substantially equivalent to 2022 code amendment changes, and the changes are necessary to implement the standards contained in this ordinance; and]

# **WHEREAS,** pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the proposed amendments meet the following conditions to demonstrate local amendments are necessary: the changes are necessary to align local building codes with General Plan and Climate Action Plan goals while permitting mixed-fuel residential construction and incentivizing electric construction, and the changes are necessary to implement the standards contained in this ordinance; and

# **WHEREAS,** on [date], the [Governing Body] found and determined that amendments to the 2022 Energy Code were cost effective, would result in buildings designed to consume less energy than permitted by previous editions of the Energy Code, and were necessary because of local climatic, geological, or topographical conditions, and [Governing Body] finds and determines the conditions persist and it is necessary to adopt substantially equivalent amendments to the 2025 Energy Code with no material change in regulatory effect to the existing standards; and

# WHEREAS, on [date], the [Governing Body] adopted the [Jurisdiction’s] General Plan which includes [relevant general plan quote, targets, goals such as greenhouse gas emissions reductions, efficient buildings] that aligns with the emissions reduction goals in the proposed amendments; and

# WHEREAS**,** on [date], the [Governing Body] adopted the [Jurisdiction’s Climate Action Plan or Greenhouse Gas Emissions Reductions Strategy] which includes [relevant strategy plan quote, targets, goals] that aligns with the emissions reduction goals in the proposed amendments; and

**WHEREAS,** in alignment with the [Climate Action Plan or Greenhouse Gas Emissions Reduction Strategy], the local amendments to the 2025 California Energy Code establish requirements for [single-family, multifamily, and nonresidential] structures which will reduce demands for local energy resources, reduce regional pollution, and promote a lower contribution to greenhouse gas emissions; and

**WHEREAS,** Public Resources Code Section 25402.1(h)2 and Section 10-106 of the 2025 California Administrative Code establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards, provided that a determination that the standards are cost effective is adopted at a public meeting and subsequently filed with the California Energy Commission, and the California Energy Commission finds that the standards will require buildings to be designed to consume less energy than permitted by the 2025 California Energy Code; and

**WHEREAS,** [Governing Body] of [Jurisdiction] has determined the cost effectiveness studies prepared by the California Statewide Codes and Standards Reach Code Program and associated study data are sufficient to illustrate that the standards contained in this ordinance are cost effective and will require buildings to be designed to consume less energy than permitted by the 2025 California Energy Code; and

**WHEREAS,** the content and details of this ordinance were the subject of a public stakeholder workshop conducted on [date], which included attendees such as architects, energy modelers, designers, builders, developers, and residents; and

**WHEREAS,** based upon these analyses, the [Governing Body] of [Jurisdiction] finds that the local amendments to the California Energy Code contained in this ordinance have at least one cost effective pathway; and

**WHEREAS,** scientific evidence has established that methane gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change; and

**WHEREAS,** using electric appliances in buildings fueled by less greenhouse gas intensive electricity is linked to significantly lower greenhouse gas emissions and is cost competitive because of the cost savings associated with avoiding new gas infrastructure; and

**[delete for existing building reach codes] WHEREAS,** the most cost-effective time to integrate electrical infrastructure is in the design phase of a building project because building systems and spaces can be designed to optimize the performance of electrical systems and avoid costs and space requirements from the mitigating of gas piping and venting; and

**[delete for new construction reach codes] WHEREAS,** the most cost-effective time to improve the energy efficiency of existing buildings is during significant alterations and additions, allowing for electrical infrastructure that is installed alongside other significant improvements; and

**WHEREAS**, the local amendments support [Jurisdiction’s] compliance with [Bay Area Air District’s amendments to Rule 9-4 and Rule 9-6 / South Coast Air Quality Management District’s Rules 1111, 1121, and/or 1146.2], which limit[s] the sale of nitrous oxide emitting water and space heating appliances; and

**WHEREAS,** because of the [Jurisdiction’s] unique local climatic, geological and topographic conditions, the [Jurisdiction] finds and determines that amendment and additions to the code are reasonably necessary; and

**WHEREAS,** that, pursuant to the Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code, the [Governing Body] of [Jurisdiction] finds and determinesthe following: (1) The locally adopted energy efficiency standards contained in this ordinance are cost-effective, and (2) the efficiency standards in this ordinance will require buildings to be designed to consume less energy compared to the 2025 California Energy Code; and

**THEREFORE, BE IT ORDAINED,** by the [Governing Body] of [Jurisdiction] as follows:

1. Incorporation of Recitals. The foregoing recitals are found to be true and correct, and are incorporated by this reference into this action;
2. Purpose. It is the purpose and intent of this Ordinance to establish standards for [single-family residential retrofits including major additions and alterations] [single-family residential space cooling replacements and installations] [electric readiness measures specified in Section 150.0(w) that shall be required for certain single family additions and alterations] that exceed minimum 2025 Title 24 Part [6/11] requirements.
3. Adoption. The local amendments to the [chapter, section, or part of local Building Code] as specified below are hereby adopted by the [Governing Body] of [Jurisdiction] to be codified under [relevant municipal statutes]. The [Governing Body] of [Jurisdiction] adopts the Recitals herein as separate and additional findings of fact in support of adoption of the ordinance.
4. 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.
5. Findings. Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the [Governing Body] of [Jurisdiction] finds that each of the changes or modifications to measures referred to therein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the [Jurisdiction], and the [Governing Body] adopts the following findings in support of local necessity for the changes or modifications:
6. [Jurisdiction] is along a wildland-urban interface which experiences more fire fueled by greenhouse gas emissions from humans.
7. [Jurisdiction] has a history of flooding disasters that occurred in YYYY, YYYY, and YYYY and decreasing greenhouse gas emissions will prevent increases in severity or duration of flooding disasters.
8. During flooding events, stormwater inundated the wastewater treatment system in YYYY and YYYY. To the extent that climate change has the potential to make these conditions worse, more restrictive Energy Code requirements to achieve reduced greenhouse gas emissions are necessary.
9. [Jurisdiction] has a history of wildfire disasters that occurred in YYYY, YYYY, and YYYY and decreasing greenhouse gas emissions will prevent increases in severity or duration of wildfire disasters. Therefore, the above-described findings support the imposition of measures to increase the efficiency of existing buildings in the [Jurisdiction] to reduce greenhouse gas emissions.
10. Failure to address and substantially reduce greenhouse gas emissions creates an increased risk to the health, safety, and welfare of [Jurisdiction] residents.
11. The standards imposed by this ordinance permit mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.
12. The standards imposed by this ordinance incentivize electric equipment through the cost-effective installation of electric appliances while preserving energy-equivalent pathways for mixed-fuel residential appliances.
13. Pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the proposed amendments meet the following conditions to demonstrate local amendments are necessary: the changes are substantially equivalent to 2022 code amendment changes, the changes are necessary to align local building codes with General Plan and Climate Action Plan goals while permitting mixed-fuel residential construction and incentivizing electric construction, and the changes are necessary to implement the standards contained in this ordinance.
14. [The standards imposed by this Ordinance are substantially equivalent to changes or modifications that were previously passed by [Governing Body] on [adoption date] and previously filed on [filing date] and were in effect as of September 30, 2025 and will have no material change in regulatory effect.]
15. The standards imposed by this Ordinance are necessary because these standards align with the General Plan policy passed on [date] that directs the City to [include general plan excerpt language here].
16. The standards imposed by this Ordinance are necessary because changes to the State code must be made in order to implement the [Climate Action Plan/ Emissions Reductions Strategy/Air Quality goals, etc passed on date] , which include [policy excerpt language here].
17. The standards imposed by this Ordinance are necessary because they meet the policy requirements of and contribute to [Jurisdiction’s] Climate Action Plan or Greenhouse Gas Emissions Reduction Strategy, passed on [date] which include [quote from policy].
18. Pursuant to the Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code, the [Governing Body] of [Jurisdiction] finds and determines the following: (1) The locally adopted energy efficiency standards contained in this ordinance are cost-effective, and (2) the efficiency standards in this ordinance will require buildings to be designed to consume less energy compared to the 2025 California Energy Code.
19. The standards imposed by this Ordinance are necessary because of local climatic, geological, or topographical conditions evidenced above and are cost-effective, as supported by the 2025 Statewide Cost Effectiveness Study prepared by the California Energy Codes and Standards Statewide Utility Program. Specifically, the [Jurisdiction] finds that there are at least [three] cost effective measure packages:
    * 1. Package 1, installing the efficiency measure of R-30 Floor Insulation would save energy relative to the base code and would achieve a benefit to cost ratio of 2.3 on an on-bill basis.
      2. Package 2, installing the efficiency measure of R-19 Floor Insulation would save energy relative to the base code and would achieve a benefit to cost ratio of 2.3 on an on-bill basis.
      3. Package 3 Package 3 to installing a Heat Pump Water Heater (HPWH), would save energy relative to the base code and would achieve a benefit to cost ratio of 1.6 on a “Long-term System Cost” (LSC basis).
20. CEQA. This ordinance is categorically exempt from CEQA because it is an action taken by a regulatory agency for the purpose of protecting the environment (CEQA Guidelines Section 15308). In addition, this ordinance is exempt from CEQA under the general rule, 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. The following findings are made in support of these determinations:
21. The purpose of the implementation of a Reach Code is to reduce the amount of greenhouse gas emissions in the [Jurisdiction] that are produced from buildings.
22. The Reach Code approval process requires that the [Jurisdiction] determines that the local standards will require buildings to be designed to consume less energy than current statewide requirements. Furthermore, the California Energy Commission approval process requires that the [Jurisdiction] make the findings as part of its approval process. Therefore, the Reach Code standards can only go into effect if they protect the environment by making buildings more efficient.
23. .Violations. Violation of the requirements of this Ordinance shall be considered, at the [Jurisdiction’s] election, an infraction of the [Jurisdiction’s Municipal Code] punishable by all sanctions prescribed in [Chapter Y], or an administrative violation punishable as provided under [Chapter X].
24. Effective Date. Option 1: Pending approval by the California Energy Commission, this Ordinance shall be effective on Month DD, YYYY. Option 2: This ordinance shall become effective as of January 1, 2026, upon approval of the California Energy Commission, or upon the date the California Building Standards Commission (CBSC) accepts the ordinance for filing, whichever is later.
25. Ordinance Summary. A summary of this ordinance, together with the names of [Governing Body] members voting for and against, shall be published at least XX days prior to its final passage, in [local publication], a newspaper published and circulated in [Jurisdiction]. This ordinance shall go into effect at the expiration of [thirty (30) days] after its final passage.

**THEREFORE,**  the [Governing Body] of [Jurisdiction] adopts [State Codes] in their full form with the following local amendments: