



Legislation Text

File #: CB 119640, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to prohibiting natural gas piping systems in new buildings; adding a new Chapter 22.940 to the Seattle Municipal Code.

WHEREAS, The City of Seattle (“City”) has a long history of recognizing the threat posed by climate change and committing to efforts to reduce emissions of greenhouse gases that cause the atmosphere to trap heat from the Earth, resulting in global warming; and

WHEREAS, an October 2018 United Nations Intergovernmental Panel on Climate Change (IPCC) report states that human beings have only until 2030 to limit devastating global warming and avoid a climate catastrophe; and

WHEREAS, the 2018 IPCC report also states that every bit of warming matters, so every fraction of a degree less of warming will save lives and pay dividends across the world’s economies; and

WHEREAS, the City acknowledges that, at its current rate of greenhouse gas emissions reduction, it is not on track to reach its emissions reductions targets by 2030, established by Resolution 31312 in 2011; and

WHEREAS, according to the 2016 Seattle Community Greenhouse Gas Emissions Inventory, emissions from the use of natural gas in buildings accounted for a quarter of Seattle’s total greenhouse gas emissions; and

WHEREAS, prohibiting the inclusion of natural gas piping systems in new buildings would both improve public safety and public health and reduce greenhouse gas emissions; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council (“Council”) makes the following legislative findings of fact and declarations:

A. Since the Council adopted Resolution 28546 in June 1992, recognizing the crisis of global warming, the City has taken multiple steps to reduce its greenhouse gas emissions, including establishing the nation’s first municipal building green building policy in 2000, requiring that all new City-funded projects and renovations over 5,000 square feet of occupied space to achieve a Leadership in Energy and Environmental Design Silver certification.

B. The Council adopted Resolution 30316 in July 2001, directing the Office of Sustainability and Environment to create an inventory of Seattle’s greenhouse gas (GHG) emissions and develop a plan to achieve GHG emissions reduction targets as established by the Kyoto Protocol.

C. In October 2011, with the adoption of Resolution 31312, the City set a goal to reach net zero greenhouse GHG emissions by 2050, and also committed to preparing for the likely impacts of climate change.

D. The Council adopted the 2013 Seattle Climate Action Plan by Resolution 31447 in June 2012. This plan recommended implementation of a variety of short- and long-term coordinated strategies to reduce GHG emissions and foster climate resiliency, with strategies focused on transportation and buildings, which produce the vast majority of Seattle’s GHG emissions. Specifically, the plan set a 2030 goal for reducing emissions from residential buildings by 32 percent and from commercial buildings by 45 percent from 2008 levels.

E. The 2016 Seattle Community Greenhouse Gas Emissions Inventory found that emissions from the direct combustion of natural gas in residential and commercial buildings accounted for over 71 percent of citywide building GHG emissions and 25 percent of Seattle’s total GHG emissions. This study also determined that the City is not on track in per-year carbon emission reductions to meet the City’s 2030 goals.

F. The Council has continued to affirm the City’s commitment to reducing GHG emissions and preparing for climate change by adopting Resolution 31757 in June 2017, committing the City to meeting or exceeding the goals of the Paris Agreement, and Resolution 31895 in August 2019, establishing the goals of a

Green New Deal for Seattle and identifying actions necessary to meet these goals, which include supporting the transition from the use of natural gas and heating oil to electricity.

G. Scientific evidence has established that natural gas drilling, extraction, combustion, and transportation emit significant GHGs that accelerate global warming and climate change.

H. The City's 2017 Preparing for Climate Change report and Seattle Public Utilities' 2019 Risk and Resiliency Assessment and Framework described a variety of challenges related to climate change specific to Seattle including, but not limited to, the following:

1. Drought: declining snowpack, rising temperatures, and more intense precipitation will result in an increase in the number and length of droughts, potentially impacting the City's water supply reservoirs;
2. Extreme rain events: storms that were previously predicted to occur once a century now occur every 25 years, creating capacity and water quality challenges for the drainage and wastewater system;
3. Landslides: more winter precipitation could result greater saturation of soil, increasing the risk of landslides, seepage around retaining walls and into underground vaults or other structures, and downed trees;
4. Sea-level rise: Seattle's Puget Sound shoreline has already risen more than six inches in the past century and is expected to increase another 2 to 4 feet by 2100, increasing the extent and frequency of coastal flooding, especially for low-lying areas such as the Duwamish, Interbay, and Alki;
5. Wildfire: fire seasons are getting longer, with more frequent and intense fires, due to the warming global climate, and could affect Seattle's two forested watershed that provide the City's drinking water supply;
6. Temperature rise: global warming is expected to increase the number of days of extreme heat (90 degrees Fahrenheit or above) during the summer, posing risks to vulnerable communities and wildlife; and
7. Air quality degradation: in addition to more frequent heat waves and more wildfire smoke, atmospheric warming is projected to intensify ground-level ozone and increase the prevalence of airborne allergens and air pollutants, impacting the health of Seattle residents, particularly those with respiratory

conditions.

I. The use of natural gas in buildings presents the following risks associated with public health and natural disasters:

1. Natural gas cooking appliances emit nitrogen dioxide, carbon monoxide, and formaldehyde, which compromise indoor air quality and impact the respiratory health of vulnerable populations, including children, the elderly, and those with existing health conditions; and

2. Seattle is situated in an earthquake-prone area, with the Seattle Fault running east-west through south Seattle, and natural gas infrastructure is a potentially significant source of fire and explosion during earthquakes and other fire events.

J. All-electric building design benefits the health, welfare, and resiliency of Seattle and its residents, and will result in a long-term reduction in GHG emissions related to buildings, as new all-electric buildings eventually replace those that use natural gas.

K. Seattle's electrical power supply has been carbon neutral since 2005, making it the first in the nation to achieve this goal. Further, the Washington State Legislature passed and the Governor signed the Clean Energy Transformation Act (Engrossed Second Substitute Senate Bill 5116) in 2019 requiring that all electric utilities serving retail customers in Washington supply electricity completely free of GHG emissions by 2045.

L. The most cost-effective time to integrate electrical infrastructure is in the design phase of a project so that building systems and spaces can be designed to optimize the performance of electrical systems and avoid the costs and space requirements associated with natural gas piping systems.

M. Prohibiting natural gas piping systems in all new buildings effective July 1, 2020 will accelerate reductions in GHG emissions, supporting the City's commitment to eliminate climate pollutants by 2030, as established by Resolution 31895.

N. The Council recognizes that implementing a prohibition on natural gas piping systems in new buildings will require additional work to be completed by the Seattle Department of Construction and

Inspections, such as updates to the City’s building and construction codes to ensure consistency with the intent of this ordinance as well as development of Director’s Rules.

Section 2. A new Chapter 22.940 is added to the Seattle Municipal Code as follows:

CHAPTER 22.940 NATURAL GAS PIPING

22.940.010 Applicability

A. The requirements of Section 22.940.030 apply to applications for all building or mechanical permits for new buildings, including new detached accessory dwelling units.

B. The requirements of Section 22.940.030 do not apply to the use of portable propane appliances for outdoor cooking and heating.

C. To the extent any provision in Title 22, including the Seattle Fuel Gas Code, is inconsistent with the requirements of Section 22.940.030, Section 22.940.030 controls.

22.940.020 Definitions

“Commercial cooking appliances” has the meaning given in the definition of “Commercial cooking appliances” in the Seattle Mechanical Code.

“Detached accessory dwelling unit” has the meaning given in the definition of “Residential use” in Chapter 23.84A.

“Director” means the Director of Seattle Department of Construction and Inspections.

“Natural gas” has the meaning given in RCW 80.40.010.

“Natural gas piping system” means a system of fuel gas piping, valves, and fittings that extends from the outlet of the point of delivery to a premises or a building and that conveys natural gas. For purposes of Chapter 22.940, “fuel gas,” “piping,” “valves,” “outlet,” and “point of delivery” have the meanings given in the definition of those terms in the Seattle Fuel Gas Code.

“New building” means a building as described in a complete building permit application that is submitted to the Seattle Department of Construction and Inspections on or after July 1, 2020.

22.940.030 Prohibition of natural gas piping systems

A. Effective July 1, 2020, natural gas piping systems may not be installed in new buildings.

B. The Director is authorized to promulgate rules, in accordance with the provisions of Chapter 3.02, for purposes of interpreting and clarifying the requirements of this Section 22.940.030. Such rules may provide for temporary waivers or other relief that apply to natural gas piping systems necessary to install certain natural gas -powered equipment and appliances, such as commercial cooking appliances, for a period of up to one year from July 1, 2020. Such waivers or relief shall be granted only for circumstances where suitable alternative electric appliances are unavailable. The Director may extend the authority to grant temporary waivers or other relief should the Director determine that alternative electric appliances continue to be unavailable.

22.940.040 Violations and enforcement

To enforce the provisions of this Chapter 22.940, the Director has the same authority provided to the Director of Public Health - Seattle & King County pursuant to Sections 6.430.250 through 6.430.280.

Section 3. The Council requests that the Seattle Department of Construction and Inspections (SDCI) recommend changes to technical codes and the Seattle Municipal Code by July 1, 2020, to limit the installation or expansion of natural gas piping systems in: additions to existing buildings; substantial renovations where the existing mechanical systems are proposed to removed and replaced; and extensions to existing natural gas piping systems in existing buildings.

Section 4. Section 2 of this ordinance shall take effect on July 1, 2020.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)