

1 **RESOLUTION NO.**

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3 **WHEREAS**, despite the soaring summer temperatures in Texas, dwelling  
4 units are not required by City Code to have air conditioning installed in the City of  
5 Austin; and

6 **WHEREAS**, the City’s Property Maintenance Code requires that all  
7 appliances, including air conditioning units (A/C unit), work properly; and

8 **WHEREAS**, the Development Services Department - Code Compliance  
9 adopted a policy that uses the Delta T standard to determine whether an A/C unit is  
10 working properly; and

11 **WHEREAS**, currently the City’s Property Maintenance Code does not  
12 require dwelling units to include an A/C unit; and

13 **WHEREAS**, Austin-Travis County EMS is responding to more heat-related  
14 illnesses this summer compared to last year; and

15 **WHEREAS**, paramedics have responded to 176 heat-related calls so far in  
16 July, according to the most recent data available, which averages out to about nine  
17 calls per day, compared with approximately eight calls per day in June, when  
18 paramedics responded to 234 heat-related calls total; and

19 **WHEREAS**, at least 279 people died due to heat in Texas in 2022, 137 of  
20 which were resident deaths, many of whom were Texans experiencing  
21 homelessness and were people without air conditioning; and

22 **WHEREAS**, due to climate change, drought coverage and intensity has  
23 increased; and

24 **WHEREAS**, due to climate change, the temperature and humidity will  
25 increase and the expected number of days with a heat index above 100 degrees

26 Fahrenheit and above will double and annual days above 105 degrees Fahrenheit  
27 will triple; and

28 **WHEREAS**, at the current heat index, heat exhaustion, heat cramps, and  
29 heat stroke become imminent; and

30 **WHEREAS**, the world is becoming closer to reaching a heat index of 131  
31 degrees Fahrenheit, where it becomes fatal to be without air conditioning; and

32 **WHEREAS**, individuals who are older or have health conditions are more  
33 susceptible to the heat; and

34 **WHEREAS**, open windows are not an adequate substitution for air  
35 conditioning because as humidity and temperatures rise, they can make homes  
36 more humid and feel warmer; and

37 **WHEREAS**, the State of Texas has attempted to pass an air conditioning  
38 law regarding a landlord's duty to providing a functioning air conditioning system;  
39 and

40 **WHEREAS**, the cities of Dallas and Houston have ordinances that require  
41 property owners to provide and maintain air conditioning within a certain  
42 temperature range; **NOW, THEREFORE,**

43 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**  
44 **AUSTIN:**

45 The City Council initiates amendments to Title 25 (*Land Development*) to  
46 require a residential property owner to provide and maintain refrigerated equipment  
47 that is capable of maintaining each habitable room with a temperature that is  
48 comfortable and less than the outside temperatures, such as the Delta T standard.  
49 When proposing the amendments necessary to implement this requirement, the City  
50 Manager is directed to consider stakeholder feedback and industry practices and  
51 requirements.

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**BE IT FURTHER RESOLVED:**

The City Manager is directed to process the amendments necessary to accomplish the goals in this Resolution and return with a draft ordinance for City Council consideration no later than August of 2024.

**ADOPTED:** \_\_\_\_\_, 2023 **ATTEST:** \_\_\_\_\_

Myrna Rios  
City Clerk

DRAFT