

RESOLUTION NO. 20230831-088

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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

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: August 31, 2023

ATTEST:

Stephani Hall for
Myrna Rios
City Clerk