



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

April 15, 1987

1231 I STREET
SACRAMENTO, CA

ADMINISTRATION
ROOM 300
95814-2987
916-449-5571

Law and Legislation Committee
City Council
Sacramento, California

ECONOMIC DEVELOPMENT
ROOM 300
95814-2987
916-449-1223

Honorable Members in Session:

NUISANCE ABATEMENT
ROOM 301
95814-3982
916-449-5948

SUBJECT: Residential Swimming Pool Solar
Water Heating Ordinance

SUMMARY

State statutory law mandates the City of Sacramento to review its solar pool heating requirements for cost effectiveness upon the filing of a formal request by an interested party. A formal request for such a review was filed by James E. Prosser, general counsel for Organization Management, Inc. (OMI). This report recommends that the Law and Legislation Committee designate the Planning and Development Department as the department in charge of overseeing the review of the City's Pool Solar Hot Water Heating Ordinance.

BACKGROUND

In April of 1980, the City of Sacramento adopted the Pool Solar Hot Water Heating Ordinance. The ordinance, found at section 9.226 of the Sacramento City Code, provides that no person shall install or replace a fossile fuel heater for heating any swimming pool unless, before or simultaneously with the installation or replacement, the person also installs an active solar heating system for the swimming pool. Thus, whenever a new pool is constructed, a solar system must be installed if the pool will be heated with natural gas. In addition, a solar system must be installed for the pool when a natural gas heating system is replaced.

California Public Services Code Section 25402.1(g)(2) states, in regard to local energy requirements such as Section 9.226 of the Sacramento City Code, that the City must update and file a new basis of its determination that the applicable energy requirements are cost effective when (1) there has been a substantial change in the factual circumstances affecting the determination of cost effectiveness, and (2) a formal request is made for such a review by an interested party.

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James E. Prosser, general counsel for OMI, has made a formal request that the City review Section 9.226 for cost effectiveness. In his request he cites the following as substantial changes from the factual circumstances and assumptions for the 1980 ordinance:

1. All Federal and State energy tax credits (55% in 1980) for swimming pool solar water heating and pool covers have expired.
2. The price increase projections for natural gas used in 1980 were greater than actually experienced.
3. Solar water heating equipment costs have increased.
4. Current gas pricing levels, improved pool heater efficiency, and changing consumer attitudes, contribute to a substantial reduction in the amount of gas consumed during the average pool heating season.

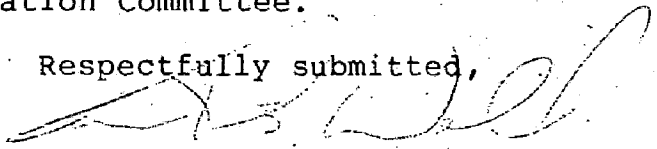
To come into compliance with the California Public Resources Code mentioned above, the City must therefore determine whether or not there has been a change in factual circumstances to affect the determination made in 1980 that the City ordinance was cost effective.

The department best suited to oversee this study is the Department of Planning and Development. However, due to the shortage of staff, it is anticipated that there will be a need to retain outside services to help to prepare this study.

RECOMMENDATION

It is recommended that the Committee instruct the Planning and Development Department to locate an appropriate consultant to conduct the study and report back to the Budget and Finance Committee on the cost and funding of the study. Upon completion of the study, the Planning and Development Department will report back on its findings to the Law and Legislation Committee.

Respectfully submitted,


ROBERT B. WALL, Acting Director
Department of Planning and Development

LMG/jmv

cc: Larry Lunardini, Deputy City Attorney
John Kreft, Planning and Development