

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 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, Austin-Travis County EMS is responding to more heat-related illnesses this summer compared to last year; 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, the temperature and humidity will 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.

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