The Network for Public Health Law

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ENVIRONMENT, CLIMATE AND HEALTH

Fact Sheet

Local Cooling Requirements to Protect Individuals from the Health Effects of Extreme Heat in Living Spaces

While many states require heating equipment to be installed or minimum temperatures maintained in rental dwelling units, few, if any, states have implemented similar requirements to provide cooling equipment to be installed or temperatures be maintained to prevent people from suffering the health effects of extreme heat where they live. As temperatures rise due to climate change, local cities and counties are considering ordinances to do just that. This is particularly important as extreme heat at home can have harmful effects for a wide range of populations, especially workers that have been exposed to extreme heat at their place of employment, pregnant people, young people, aging populations, households facing economic barriers to equitable energy access, and people with certain medical conditions. The need for relief from extreme heat at home is even greater for households located in urban heat islands, and for buildings that aren't properly weatherized.

The chart below summarizes some key features of selected local ordinances. Some localities have opted to require cooling units in all rooms of a home, while others have identified certain types of dwellings, or specific rooms, that must be cooled. Other ordinances set temperature limits that must be maintained during specified times of the year or under certain temperature conditions — these temperature limits are more common in situations where the landlord controls cooling units.

These cooling ordinances provide important public health benefits, but can also contribute to increased energy burdens and additional green-house gas emissions that contribute to health risks posed by climate change. By some estimates, cooling is projected to account for over one-third of new electricity demands related to buildings by 2050. Even where air conditioning is provided, some tenants may not utilize these cooling systems because cooling costs might not be within their budget. The economic burden may also be higher if low-income and affordable housing units require more electricity to cool due to insufficient weatherization. Policies that provide cool spaces in common areas can help provide some limited relief for tenants without increasing individual energy costs. Other options that can help alleviate the health risks of extreme heat within the home include:

- Energy disconnection moratoriums during extreme heat events, paired with opportunities to pay bills over time.
- Weatherization programs that help prevent cool air from leaking out of the home.
- Programs that utilize natural solutions, such as shade from trees, to help lower indoor temperatures.
- More efficient cooling technology, such as heat pumps or mini-splits, which are associated with substantial energy savings.

While access to cool spaces is essential to protect public health during periods of extreme heat, home cooling policies that are mindful of and address energy insecurity can be the most effective in protecting all populations exposed to extreme heat.

Summary Matrix of Local Cooling Requirements for Renters

Jurisdiction	State	Citation	Type of Premise	Area to be Cooled	Indoor Temp Requirements	Required Cooling Equipment
Chicago	IL	Chicago Mun. Code §§ 14X-8-803 et seq.	Existing nursing Homes	Habitable spaces, toilet rooms, public corridors	Maintain safe indoor conditions for occupants when outdoor heat index[1] > 80°F	Permanent cooling and dehumidification equipment that can maintain 75°F & 50% humidity.
			Existing housing for Older Persons	Indoor common gathering spaces		
			Existing High-rise & Residential Buildings > 100 dwelling or sleeping units	At least one indoor common space accessible to all		
		Chicago Mun. Code §§ 14B-12-1203	New residential buildings, correction and detention centers[2], and institutional buildings[3]	spaces intended for human occupancy		Active or passive space cooling and dehumidification system maintaining 75°F & 50% humidity.
Dallas	TX	Dallas City Code § 27-11	Rental housing	habitable rooms		Refrigerated air equipment that can cool to: at least 15°F less than outside and no greater than 85°F
Houston	TX	Houston Tx, Code § 10-363	Rental housing	habitable spaces where window screens are not provided		Refrigerated air equipment that can maintain the warmer of: 20°F below outside temp or 80°F

Jurisdiction	State	Citation	Type of Premise	Area to be Cooled	Indoor Temp Requirements	Required Cooling Equipment
Montgomery County	MD	Montgomery County Code §26-7, COMCOR § 29.30.02	Rental housing except detached single-family homes and Nat'l Reg. of Historic Places	Habitable spaces	In units where landlord controls cooling equipment, temp must be maintained at a max temp of 80°F from June 1-Sept 30	In units where tenant controls cooling equipment air conditioning systems must be able to maintain a temp no more than 80°F
New Orleans	LA	New Orleans Code § 26-656	Rental Housing	Bedrooms		Cooling system that can maintain a maximum temp of 80°F
North Las Vegas	NV	North Las Vegas Code § 15.12.030	Dwelling units, guest room, and congregate residences	Habitable rooms		Air conditioning that can maintain a room temp of 70°F
Palm Springs	CA	City of Palm Springs Code § 8.04.036	Residential dwellings and sleeping units	Habitable rooms	A maximum temp of 80°F must be maintained at all times in rental dwellings and sleeping units	Air conditioning facilities that can maintain a max temp of 80°F
Phoenix	AZ	Phoenix City Code § 39-5.	Rental housing unit with cooling system installed[4]	Habitable rooms, bathrooms, & flushing toilet rooms		Air conditioning: no greater than 82° F
Tempe	AZ	Tempe City Code § 21-34	Rental housing units	Habitable rooms, bathrooms and flush toilet rooms.		Cooling equipment must be permanent and under tenants' control. Air conditioning equipment must be able to maintain temp no greater than 82° F Evaporative cooling equipment must be able to maintain temp no greater than 88° F

Jurisdiction	State	Citation	Type of Premise	Area to be Cooled	Indoor Temp Requirements	Required Cooling Equipment
Tucson	AZ	Tucson City Code § 16-11	Dwelling unit, guest room, and congregate residence	Habitable rooms		Mechanical cooling or an alternate cooling method. Air conditioning must be able to maintain temp no greater than 82° Evaporative cooling equipment must be able to maintain temp no greater than 86°

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[1] Heat Index is how hot it feels when considering both air temperature and humidity.
[2] Includes building in Group E, I-3, R-1, R-2, R-3 and R-5, as defined here.
[3] Includes buildings in Group I-1, I-2, I-4, and R-4, as defined here.
[4] The Phoenix Building Code has required cooling systems in habitable spaces since 1998. Ducted cooling systems and non-ducted cooling units may not be removed from a dwelling unit, except for immediate repair and replacement, and dwelling units where a cooling unit has previously existed may not be occupied until a cooling system is installed.