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FRANK BUSH  
EXECUTIVE OFFICER

October 9, 2015

Honorable City Council  
Room 395, City Hall  
Los Angeles, CA 90012

Attention: Planning and Land Use Management (PLUM) Committee

**Proposed Code revisions in response to Council Motion # 11-0112**

In response to Council Motion #11-0112, the Department of Building and Safety, in collaboration with the Department of City Planning, has drafted code revisions amending Articles 5 and 9 of Chapter IX of the Municipal Code addressing sources of outside air in buildings and requiring MERV 13 air filters in buildings near freeways.

The proposed code revisions are attached for your consideration.

Please direct any questions regarding the proposed ordinance to Mr. Osama Younan at (213) 482-7407. Should you need my assistance, please contact me at (213) 482-6800.

Raymond S. Chan, C.E., S.E.  
General Manager

Attachments

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adopted to address cumulative health impacts resulting from a legacy of incompatible land use patterns for certain neighborhoods within the City.

**WHEREAS**, the cumulative environmental impacts result from concentrated industrial land use, on-road vehicle travel, and heavily freight-dominated transportation corridors in close proximity to homes, schools and other sensitive uses is a pervasive problem in Los Angeles; and

**WHEREAS**, the South Coast Air Basin is in Non-Attainment for three of the seven criteria pollutants established by the Environmental Protection Agency and cumulative environmental impacts including, but not limited to, air and water quality, noise, traffic congestion, solid waste management are problems that can affect business growth and severely impact environmental health in Los Angeles; and

**WHEREAS**, the most effective tools to address multiple emitting sources and to foster community transformation are local land use policies, coupled with new development standards and improved regulatory enforcement, along with financial and technical assistance to increase the number of businesses with retrofits, modernization and other systems improvements that lessen cumulative environmental impacts and,

**NOW, THEREFORE,**

**THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

**Section 95.314.3 of the Los Angeles Municipal Code is amended:**

**95.314.3 Prohibited Source.** Outside or return air for a heating or cooling air system shall not be taken from the following locations.

- (1) Less than 10 ft (3048 mm) in distance from an appliance vent outlet, a vent opening of a plumbing drainage system, ~~or~~ the discharge outlet of an exhaust fan, or a medical-surgical vacuum outlet unless the outlet is 3 feet (913 mm) above the outside-air inlet.
- (2) Less than 10 feet (3048mm) above the surface of an abutting public way, driveway, sidewalk, street, alley, or driveway.
- (3) A hazardous or insanitary location, or a refrigeration machinery room as defined in this code.

- (4) An area, the volume of which is less than 25 percent of the entire volume served by such system, unless there is a permanent opening to an area the volume of which is equal to 25 percent of the entire volume served.

**Exception:** Such openings where used for a heating or cooling air system in a dwelling unit shall be permitted to be reduced to not less than 50 percent of the required area, provided the balance of the required return air is taken from a room or hall having not less than three doors leading to other rooms served by the furnace.

- (5) A closet, bathroom, toilet room, or kitchen.
- (6) Rooms or spaces containing a fuel-burning appliance therein. Where such room or space serves as source of return-air.

**Exceptions:**

- (1) This shall not apply to fireplaces, fireplace appliances, residential cooking appliances, direct-vent appliances, enclosed furnaces, and domestic type clothes dryers installed within the room or space.
- (2) This shall not apply to a gravity-type or listed vented wall heating or cooling air system.
- (3) This shall not apply to a blower-type heating or cooling air system installed in accordance with the following requirements:
- (a) Where the return air is taken from a room or space having a volume exceeding 1 cubic foot (0.03m<sup>3</sup>) for each 10 Btu/h (0.003kW) fuel input rating of fuel-burning appliances therein.
  - (b) Not less than 75 percent of the supply air is discharged back into the same room or space.
  - (c) Return-air inlets shall not be located within 10 feet (3048mm) from an appliance firebox or confined space.

**Subsection 99.04.504.6 of the Los Angeles Municipal Code is added:**

**99.04.504.6 Filters.** In mechanically ventilated buildings within 1,000 feet of a freeway, provide regularly occupied areas of the building with air filtration media for outside and return air that provides a Minimum Efficiency Reporting Value (MERV) of 13. Filters shall be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

**Exception:** Existing mechanical equipment.

**Subsection 99.05.504.5.3 of the Los Angeles Municipal Code is amended:**

**99.05.504.5.3 Filters.** In mechanically ventilated buildings, provide regularly occupied areas of the building with air filtration media for outside and return air that provides a Minimum Efficiency Reporting Value (MERV) of 8. Filters shall be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

**Exceptions:**

1. An ASHRAE 10-percent to 15 percent efficiency filter shall be permitted for an HVAC unit meeting the 2013 California Energy Code having 60,000 Btu/h or less capacity per fan coil, if the energy use of the air delivery system is 0.4 W/cfm or less at design air flow.
2. Existing mechanical equipment.
3. Mechanically ventilated buildings located within a 1,000 feet of a freeway shall provide a filtration media that provides a MERV of 13.