

For the Center for State Innovation
Wednesday, December 10th

BUILDING CODES ASSISTANCE PROJECT

Green Thru Building Codes

- South Carolina House Bill 3034 requires state-owned and state-funded construction > 10,000 ft² and any major renovation projects of >50% of total building space or value achieve LEED-NC Silver or comparable. With an emphasis on energy efficiency, the legislation specifically requires a minimum of four credits earned in LEED Energy & Atmosphere Credit 1, "Optimize Energy Performance."
- New Mexico Executive Order 2006-001 requires all new state buildings and major renovations meet the "2030 Challenge" call for a 50% reduction in fossil-fuel energy consumption compared to traditional buildings by using a LEED-based system.
- Seattle City Council Bill 115524 amended the land use code to allow a developer to build at a higher density if a building will be rated LEED Silver or equivalent. (Applies only to buildings in downtown commercial districts.)
- The District of Columbia City Council enacted legislation requiring all new government buildings to meet LEED Silver. In addition, by 2012, all new public or PRIVATE buildings larger than 50,000 square feet must conform to LEED standards.

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Voluntary programs:

- ◎ **Home Energy Rating Systems (HERS)**: rates homes according to energy efficiency, allowing lenders to take energy cost savings into account when underwriting mortgage loans.
 - The New Mexico State Senate Bill 0543: a green building tax credit that requires a HERS rating of 60 or higher for homes to qualify.
- ◎ **ENERGY STAR**: provides certification of homes & commercial buildings. Stakeholders can go beyond codes and lock in greater energy savings.
 - Virginia's Executive Order 48, "Energy Efficiency in State Government," instructs all state agencies and institutions constructing state-owned facilities over 5,000 gross square feet in size, and renovations of such buildings valued at 50% of the assessed building value, be designed and constructed consistent with the energy performance standards at least as stringent as LEED or EPA's ENERGY STAR rating. The Executive Order also gives preference for leasing government facilities that meet LEED or ENERGY STAR.

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- [North Carolina Senate Bill 668](#) requires all major public facility projects to be designed, constructed, and certified to at least thirty percent (30%) greater energy efficiency than the standard under ASHRAE 90.1-2004. For major renovations a twenty percent (20%) greater energy efficiency standard than ASHRAE 90.1-2004 shall be used.
- [Massachusetts Executive Order 484, "Leading by Example - Clean Energy and Efficient Buildings"](#), instructs all agencies involved in construction and major renovation projects > 20,000 ft² to meet LEED certification, energy performance 20% better than the Massachusetts Energy Code, independent third- party commissioning, and comply with additional outdoor water reduction goals.
- [California Assembly Bill 1065](#) requires the California Energy Commission adopt standards that would progressively reduce the energy consumption (per gross square foot of floor space) of new residential and new non-residential buildings from offsite sources, on a specified schedule using Title 24 standards adopted in 2003 as a baseline.
- [The Chicago Building Code Section 18-13-303, "Urban Heat Islands"](#), prohibits black roofs and requires increasingly high solar reflectance for roofs through 2008 when roofs must conform to the EPA ENERGY STAR 0.65 reflectance requirement.

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Expedited Permitting: Local jurisdictions can prioritize plan review for projects with energy efficient or green credentials.

- [The provision HRS § 46-19.6 \(2006\) in Hawaiian law](#) streamlines building permit applications that feature home designs with a LEED silver or equivalent rating.
- [The Municipal Code of Santa Monica Ordinance 8.108.050](#), allows for priority plan check processing for building projects that are registered with the LEED certification program.

Energy Efficiency Disclosure Form: States can require that new residential buyers receive information on how a home meets, falls below, or exceeds the national model code.

- [Kansas House Bill 2036](#) establishes the 2006 IECC as the state commercial code and updates the Kansas Energy Efficiency Disclosure form so that the form provides information on whether a residence meets the energy efficiency standards of the 2006 IECC.

Linking Building Cost with LEED Requirements

- [Connecticut Public Act 07-242](#) requires all new construction of public and private buildings costing \$5 million or more and renovations costing \$2 million or more to meet LEED Silver standards or their equivalent. It also contains provisions for energy-efficiency tax credits, bonds, and loans for various ENERGY STAR-qualified household appliances and heating units.

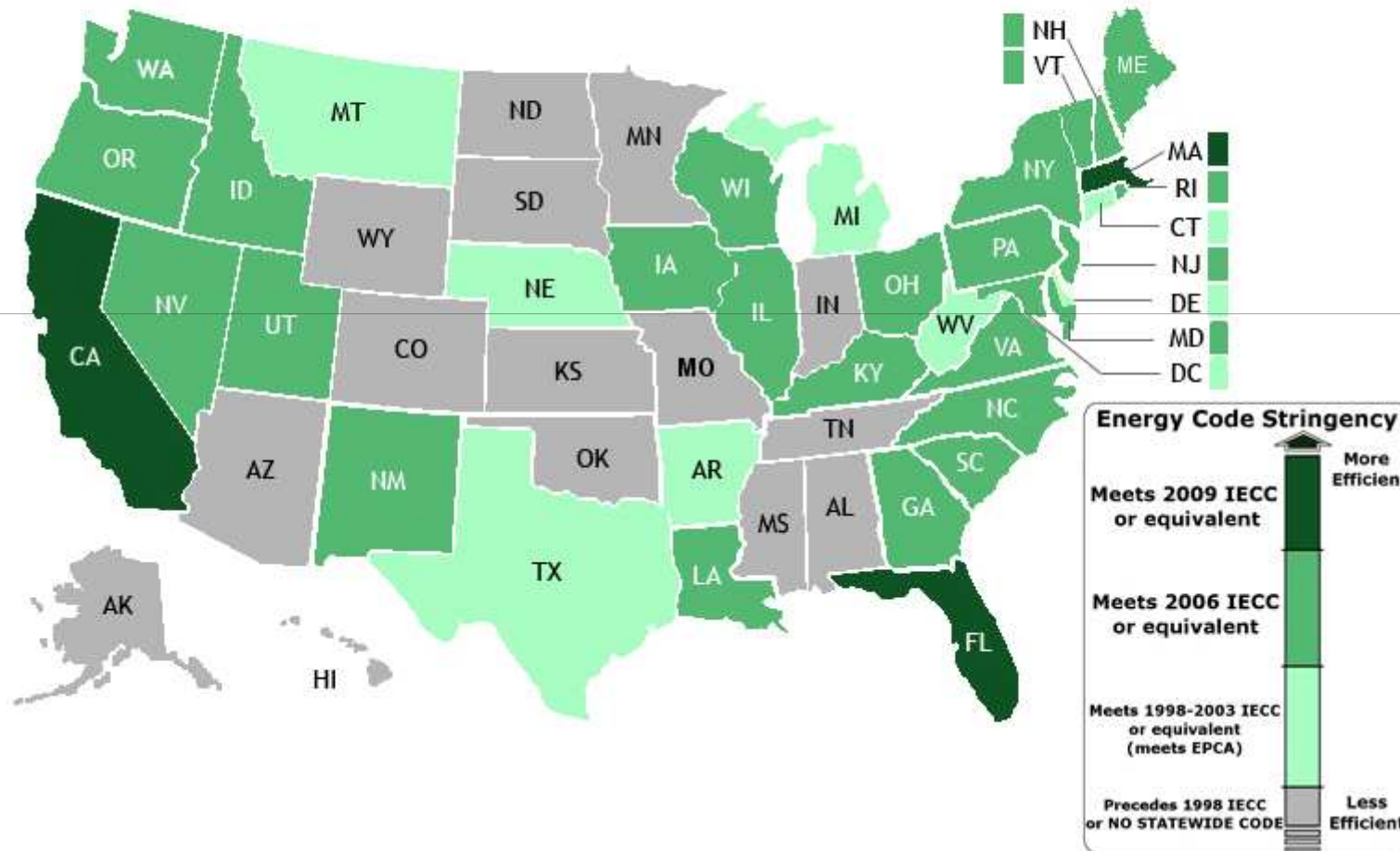
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Point of Sale/ Time of Transfer

- ◎ [Nevada Senate Bill 437](#) requires the Office of Energy to establish a program for evaluating energy consumption of residential property in the state. The requirement is that the evaluation be conducted upon the sale of property , although the provision is self-regulating and realtors are not required to play a role or have any responsibility.
- ◎ [In Davis, California](#) a building owner must show the building to be compliant with the City of Davis Building Code prior to sale or transfer of the building. The owner must make the building code compliant within 90 days of sale/transfer.
- ◎ [The Ann Arbor, Michigan Municipal Code, Section 528 of Chapter 105](#) requires minimum energy efficiency/weatherization standards for all rental dwellings, dwelling units, rooming units and premises in the City of Ann Arbor.

Commercial State Energy Code Status

As of December 2008



Green Thru Building Codes

Back-up -- confirm the basics:

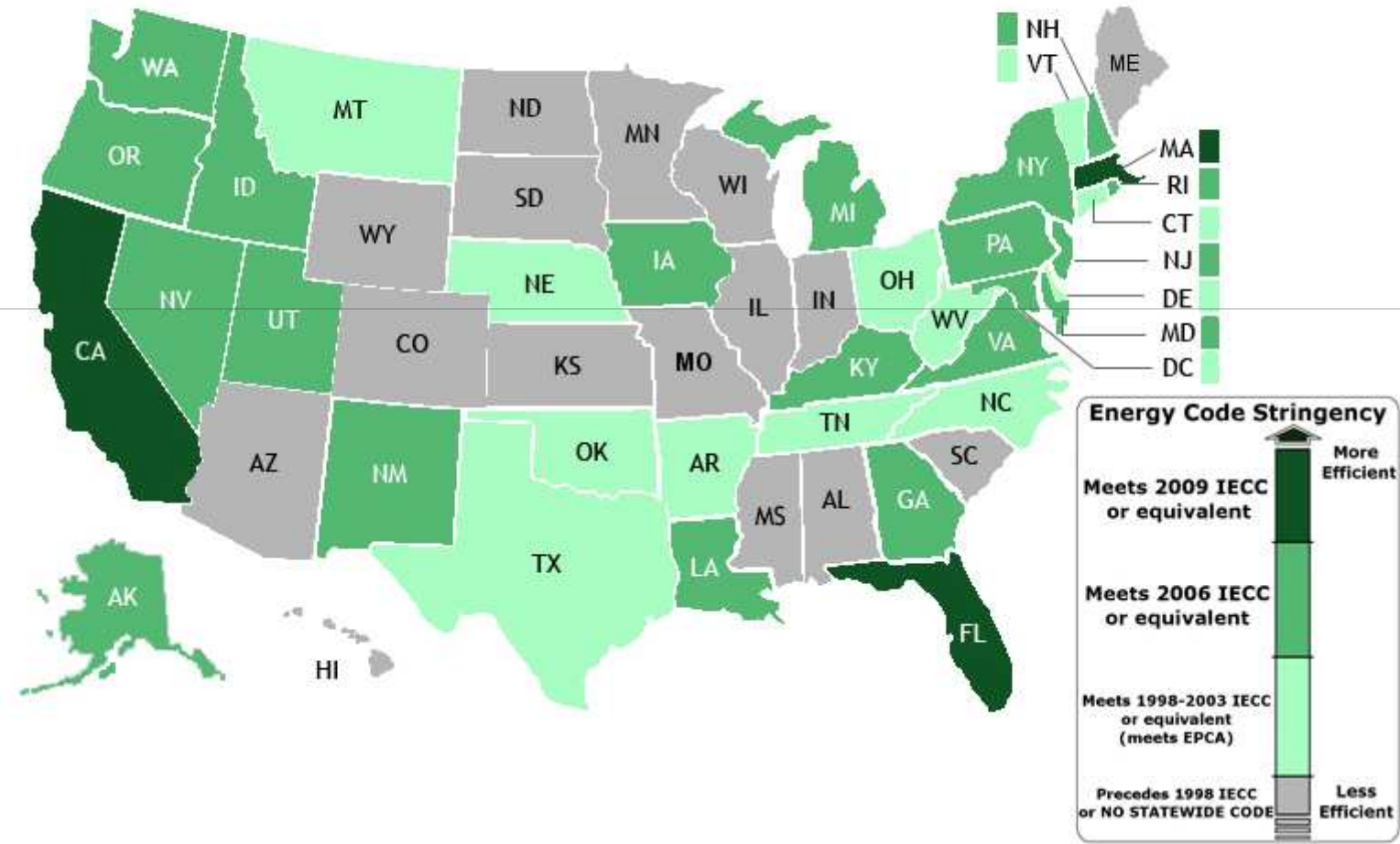
1. Need to get on-board with the national model code as a minimum. Plain English – what does that mean? The state must adopt IECC 2006 and ASHRAE 90.1 2004 (or better)
2. Need to ensure compliance; certification/licensing, incentives/penalties, tracking and measurement.

Then,

3. Look to other states and local jurisdictions on various options and lessons learned.
4. Seek out assistance from the Building Codes Assistance Project and the US Department of Energy.

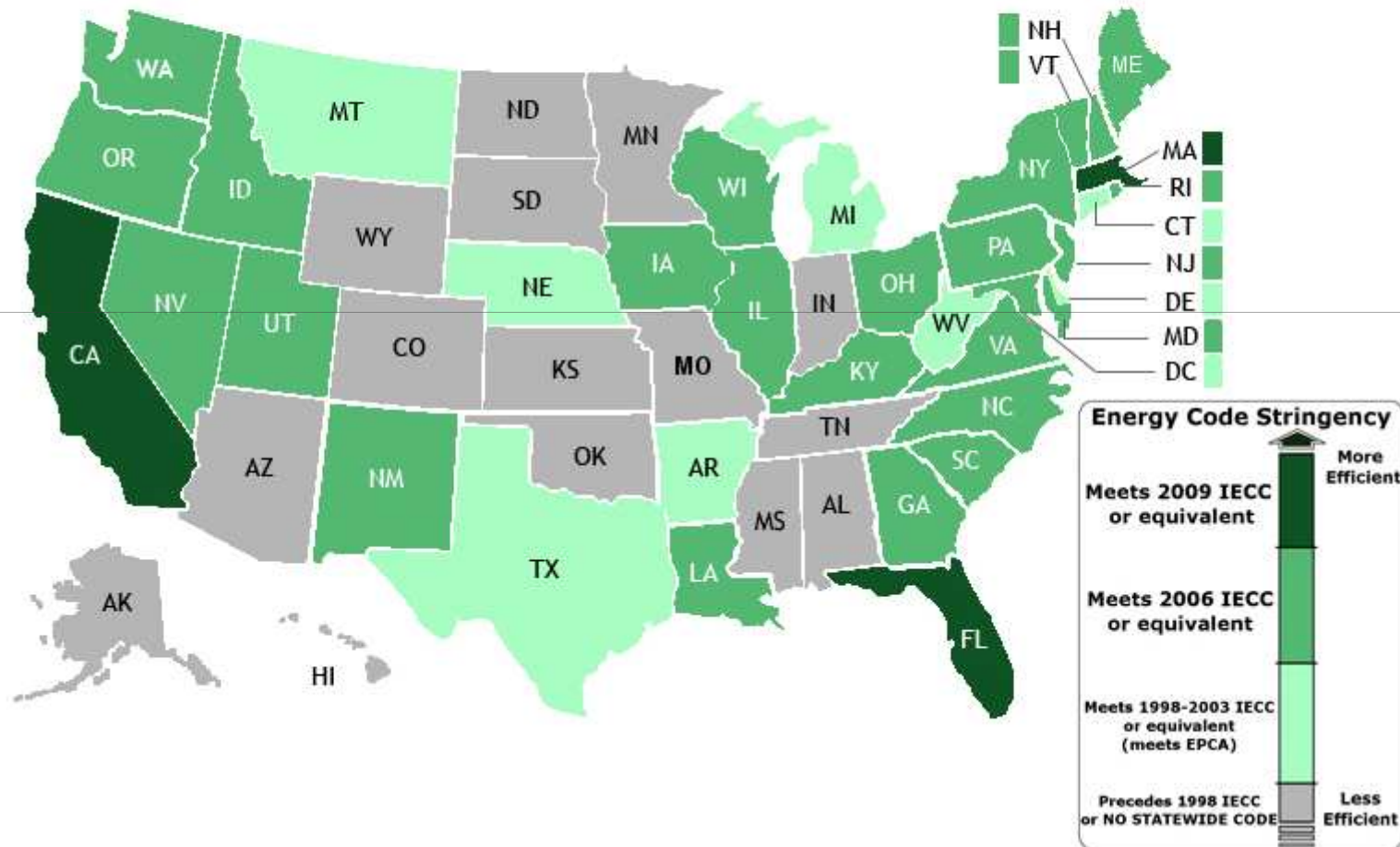
Residential State Energy Code Status

As of December 2008



Commercial State Energy Code Status

As of December 2008



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- ◎ Call the Building Codes Assistance Project for assistance

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