



Ordinance No. 2995-07

AN ORDINANCE adopting a sustainable building and infrastructure policy.

WHEREAS the City Council finds the following:

A. The use of green building design in City capital improvement projects reduces pollution, use of natural resources, energy and other operating costs, enhances asset value, optimizes building performance and creates healthier workplaces for City employees; and

B. Green building design has the potential to reduce operating costs associated with HVAC (heating, ventilation and air conditioning), lighting systems, municipal water consumption, storm water management, solid waste and recycling management; and

C. Buildings designed to use as little energy as possible and minimal or no fossil fuels are low-energy and high-performance buildings. With such buildings, the City utility costs will be demonstrably lower, since the largest building operating costs are incurred for artificial lighting and air conditioning, for both heating and cooling cycles. Within a building's total life span, the operations and maintenance costs are generally three times the initial building costs; and

D. Green building supports broad sustainability goals of the City including growth management, economic development, environmental protection, access to public transportation, stewardship of resource lands and wildlife habitat and creating resources from wastes; and

E. The LEED rating system is a nationally recognized standard used to rate the performance of buildings and guide project design. The LEED rating system components include: sustainable site design; water efficiency; energy and atmosphere; indoor environmental quality; and materials and resources. The use of LEED criteria reduces operating costs, enhances asset value, optimizes building performance and creates healthier workplaces for City employees and visitors;

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Intent. The City hereby declares its intent to promote green building practices and low impact development in the design, construction and management of all City-owned capital facilities. The City also encourages the use of such building and development practices in private development in the City where appropriate.

SECTION 2. Definitions. The definitions in this section apply throughout this ordinance unless the context clearly requires otherwise.

A. "Green building practices" as defined by the U.S. Green Building Council, LEED Program, are practices that conserve resources, use recycled content materials, maximize energy efficiency, and otherwise consider environmental economic and social benefits in the design and construction of a building project.

B. "Leadership in Energy and Environmental Design" or "LEED" is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. Other programs that may be developed in the future that provide equivalent standards for sustainable buildings are included in this definition.

C. "Life-cycle cost" represents the full costs including financing for designing, constructing and operating a facility based upon the useful life of the facility and its components.

D. "New construction" is any new building or structure.

E. "Remodel" is to add on to or alter the structure of an existing building or structure.

F. "Renovate" is to improve, repair, or upgrade the condition of a building or structure.

G. "U.S. Green Building Council" (USGBC) is an organization that serves as the nation's foremost coalition of leaders from across the building industry working to promote buildings that are environmentally responsible, profitable and healthy places to live and work.

H. "Low Impact Development" (LID) is a storm water management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small scale storm water controls to closely mimic natural hydrologic patterns in developed settings.

SECTION 3. Policies.

A. City departments shall utilize LEED criteria to implement green building practices to the maximum extent practicable in the planning, design and construction of all new City capital improvement projects as set forth herein:

1. For new City building projects exceeding 5,000 square feet, LEED silver certification shall be required unless the City Council determines it is not practicable or appropriate considering such things as the type of structure (certain utility structures, etc), available resources, construction costs and life-cycle costs. Projects qualifying for LEED certification shall be registered through the U.S. Green Building Council;

2. For new projects under 5,000 square feet and for remodels and renovations where the scope of the project or type of structure limits the ability to achieve LEED silver certification, City departments shall incorporate cost effective green building practices based on estimated life cycle cost analysis and the limits of available funding.

B. The City shall implement green building practices to provide compliance with the requirements of this Ordinance, including but not limited to the following:

1. In evaluating the City's overall sustainable building and infrastructure policy, the City's LEED projects shall be included;

2. Departments affected by these policies are encouraged to budget for and attend sustainable building training and/or obtain LEED accreditation; and

3. The City shall consider, in consultant selection, LEED accreditation, experience and abilities related to sustainable building design and low impact development design, engineering and construction to provide compliance with the intent of this Ordinance.

C. The City shall encourage the use of LEED, green building practices and low impact development in private development projects through its land use regulations, building codes, and development standards.

Section 4. Severability. Should any section, paragraph, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulations, this shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Conflict. In the event there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Ray Stephanson

Ray Stephanson, Mayor

ATTEST:

Sharon Marks

City Clerk

Passed: 05-30-07

Valid: 06-05-07

Published: 06-08-07

Effective Date: 06-20-07