



Alameda County Waste Management Authority
Alameda County Source Reduction and Recycling Board
www.stopwaste.org

CIVIC GREEN BUILDING MODEL ORDINANCE

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF ____ AMENDING THE MUNICIPAL CODE BY ADDING A NEW ARTICLE XX

The City Council does hereby enact this ORDINANCE No.____ in full as follows:

SECTION 1 ENACTMENT

The Municipal Code is hereby amended by adding a new Article XX which shall read as follows:

ARTICLE XX.

SECTION 1. FINDINGS

a. The City finds that the design, construction, and maintenance of buildings within the City can have a significant impact on the City's environmental sustainability, resource usage and efficiency, waste management, and the health and productivity of residents, workers, and visitors to the City.

b. The City finds, based on studies by the Alameda County Waste Management

Authority, that construction and demolition debris comprise up to 21% of materials disposed in Alameda County landfills.

c. The City finds that green building design, construction, and operation can have a significant positive effect on energy and resource efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

d. The City finds that green building benefits are spread throughout the systems and features of the building. Green buildings use recycled-content building materials, consume less energy and water, have better indoor air quality, and use much less natural resources than conventional buildings. Construction waste is often recycled and remanufactured into other building products.

e. The City finds that green design and construction decisions made by the City in the construction and remodeling of City buildings can result in significant cost savings to the City over the life of the buildings.

SECTION 2. DEFINITIONS

For the purposes of this Article, the following definitions shall apply:

a. "Building" means any Structure used for support or shelter of any use or occupancy. "Building" includes Structures of occupied space, as defined by the California Building Code.

b. "City-Sponsored Project" means any Construction Project primarily funded or sponsored by the City or on City-owned land.

c. "Construction" means the building of any Building or Structure or any portion

thereof. For the purposes of this Article, Construction does not include Renovation of an existing Building or Structure.

d. “Covered Project” means any City-Sponsored Construction Project of 5,000 gross square feet or more of occupied space, as defined by the California Building Code.

e. "Green Building Compliance Official" means the designated staff person(s) authorized and responsible for implementing this Article.

f. "LEED™ Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Green Building Rating System approved by the United States Green Building Council. City staff shall maintain the most recent version of the LEED™ Rating System at all times.

h. “Renovation” means any change, addition, or modification to an existing Building or Structure.

i. "Structure" means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built or composed of parts joined together in some definite manner and permanently attached to the ground.

SECTION 3. STANDARD FOR COMPLIANCE

a. All Covered Projects shall meet a minimum LEED™ [**choose one: “Certified” or “Silver”**] rating.

b. City-Sponsored Projects of Structures deemed historic under any federal, state or local law are exempt from, but encouraged to comply with, the requirements of this Article whenever feasible.

d. The Green Building Compliance Official shall make the final determination as to whether: (1) a project qualifies as a Covered Project; and (2) a Covered Project has achieved the required LEED™ rating. The Green Building Compliance Official's determination may be appealed to the Planning Commission and/or City Council pursuant to _____. **[Cities should cross-reference appropriate appeals provision here.]**

e. LEED™ registration and certification through the United States Green Building Council are encouraged but not required under this Article.

f. **[Optional]** If the Green Building Compliance Official determines that a Covered Project has not met the requirements for the applicable LEED™ rating, he or she may require additional reasonable green building measures be taken in the operation of the Project.

SECTION 2. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article, or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, and phrase of this Article irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or effective. To this end, the provision of this Article are declared to be severable.

SECTION 3. EFFECTIVE DATE

This Article shall take effect thirty (30) days after its passage.

SECTION 4. NOTICE

[Jurisdictions should insert the relevant notice requirements here]

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:
