

Legistar File No. 92025 Body

DRAFTER'S ANALYSIS: This ordinance makes several minor changes to the Building Energy Savings Code regarding the timing provisions associated with submitting for extensions and exemptions from the reporting requirements. Based upon staff experience, it was felt that additional time for such submittals was appropriate and that not as much time was needed for the City to grant or deny such requests. In addition, this ordinance would provide citation authority over the enforcement of the Building Energy Savings Code to the City's Sustainability and Resilience Manager, or designee. Currently, enforcement is only provided to the Building Inspection Division. This change will allow the staff who administer this ordinance the ability to enforce the terms thereof directly without having to rely upon Building Inspection staff.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subparagraph b entitled "Deadline" of Paragraph 3 entitled "Exemptions" of Subdivision (a) entitled "Applicability" of Subsection (3) entitled "Energy Benchmarking" of Section 29.40 entitled "Building Energy Savings Code" of the Madison General Ordinances is amended as follows:

"b. Deadline. Requests for benchmarking compliance exemptions must be submitted to the Administrator ~~between no sooner than January 1 and June 30~~ following the year to be benchmarked, ~~and no later than March 31 of the year following the year to be benchmarked.~~ The Administrator shall notify applicants within ~~60~~ 14 days of receiving an exemption request on the determination of whether the exemption is granted. If the exemption is not granted, the Administrator shall within such ~~60~~ 14 day period provide a reasonably detailed explanation as to why the request was not granted."

2. Subparagraph b entitled "Deadline" of Paragraph 3 entitled "Exemptions" of Subdivision (a) entitled "Applicability" of Subsection (4) entitled "Building Tune-Ups" of Section 29.40 entitled "Building Energy Savings Code" of the Madison General Ordinances is amended as follows:

"b. Deadline. Requests for exemptions must be submitted to the Administrator ~~no sooner than 2 years in advance of, and no later than April 30~~ between January 1 and June 30 of the year of the building's applicable tune-up compliance date. The Administrator shall notify applicants within ~~60~~ 14 days of receiving an exemption request on the determination of whether the exemption is granted. If the exemption is not granted, the Administrator shall, within such ~~60~~ 14 day period, provide a reasonably detailed explanation as to why the request was not granted."

3. Subsubparagraph i. of Subparagraph c entitled "Alternative Compliance Pathways" of Paragraph 3 entitled "Exemptions" of Subdivision (a) entitled "Applicability" of Subsection (4) entitled "Building Tune-Ups" of Section 29.40 entitled "Building Energy Savings Code" of the Madison General Ordinances is amended as follows:

"i. The building has a certified ENERGY STAR score of 75 or greater ~~for the calendar year preceding~~ within a year of the tune-up compliance date;"

4. Intro of Paragraph 3 entitled “Extensions” of Subdivision (b) entitled “Requirement for Building Tune-Ups and Reporting” of Subsection (4) entitled “Building Tune-Ups” of Section 29.40 entitled “Building Energy Savings Code” of the Madison General Ordinances is amended as follows:

“3. Extensions. A building owner may apply for a one-year compliance extension from the building tune-up compliance date by showing good cause. If the Administrator grants such an extension, the future schedule for compliance remains the same, and the building's next compliance schedule will be less than the typical four-year schedule. Requests for extensions must be submitted to the Administrator ~~no later than April 30~~ between January 1 and October 31 of the building tune-up compliance year, on a form provided by the Administrator. ~~However, in the case of a change of ownership after April 30 of the compliance year, the building owner may submit an extension request up to the building tune-up compliance date.~~ Conditions to receive a one-year extension include but are not limited to:”

5. Subsection (4) entitled “Issuance of Citations” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the Madison General Ordinances is amended by amending therein the following:

<u>Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
<u>“Sustainability and Resilience Manager or their designee.</u>	<u>Section 29.40, Building Energy Savings Code.”</u>