

ORDINANCE NO. 319

AN ORDINANCE relating to adoption of an energy code for the Town of Yacolt to provide minimum standards for new or altered buildings and structures, or portions thereof, to achieve efficient use of energy; adopting limited provisions of the Washington State Energy Code; and adding new sections dealing with the adoption of the Northwest Energy Code.

WHEREAS, the Town of Yacolt has determined that the adoption of the Northwest Energy Code and portions of the Washington State Energy Code are necessary to set forth minimum requirements for the design of new and used buildings and structures by regulating their exterior envelopes and the selection of their heating, ventilating and air conditioning systems, service water heating, electrical distribution and illuminating systems and equipment for effective use of energy; and

WHEREAS, the adoption of energy codes which enable the effective use of electrical and other forms of heat in new building construction will provide a more effective utilization of these energy resources which would be in the best interest of the public; and

WHEREAS, increased energy efficiency will reduce the pressure for future rate increases and will stretch our current clean energy efficient resources into the future; and

WHEREAS, the energy surplus in the northwest is disappearing as the population increases and the economy expands; and

WHEREAS, the Bonneville Power Administration has initiated the Northwest Energy Code Program, which includes reimbursement provisions for the administration and enforcement of the Northwest Energy Code regulating the use of electrical energy as well as some reimbursement of additional cost to the builder and consumer for conservation components attributable to compliance with the conservation standards under the energy code; and

WHEREAS, the Town Council has held a special meeting on this matter and finds adoption of this ordinance will further the public health and general welfare; now, therefore,

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF YACOLT, STATE OF WASHINGTON, as follows:

Section 1. Purpose and Title. This Ordinance is intended to be a comprehensive energy code regulating all energy related equipment and processes prescribed herein. This Ordinance and the Northwest Energy Code and the Washington State Energy Code, as herein adopted in part, shall be read together and construed as a single document. This Ordinance shall be known as the Yacolt Energy Code.

Section 2. Adoption of Northwest Energy Code. The Northwest Energy Code, 1987 Edition, as promulgated by the Bonneville Power Administration, is hereby adopted, made part of this Ordinance and incorporated by reference. This code shall apply to all new residential construction using electrical space heating and all new nonresidential construction using electrical space conditioning and electrical lighting; PROVIDED, that the ventilation requirements contained in Section 305 of the 1986 Washington State Energy Code (2nd Edition) as set forth in Section 3 below, shall apply to commercial buildings.

Section 3. Requirements for conversion of buildings to electrical space heating or conditioning. The conversion standard equivalent code amendments to the Model Energy Code, December 24, 1986 Edition, promulgated by the Bonneville Power Administration and compiled with the Northwest Energy Code, 1987 Edition, as presently existing or as subsequently amended, are hereby adopted and incorporated by reference as a part of this Ordinance. These conversion standards shall apply to any buildings constructed pursuant to a building permit issued on or after the effective date of this Ordinance, which at the time of initial construction were not required to comply with the standards of the Northwest Energy Code as set forth in Section 2

above, when such buildings are subsequently converted to provide electrical space heating or conditioning.

Section 4. Application of Washington State Energy Code/Adoption by Reference. The 1986 Washington State Energy Code (2nd Edition), as amended, restated or recodified, is hereby adopted and incorporated by reference, except those provisions relating to new residential and nonresidential construction utilizing electrical heating, except that new residential buildings, which are space heated with all other forms of space heating not covered by the Northwest Energy Code, shall be designed to achieve energy use efficiency equivalent to energy use achieved in typical buildings constructed with:

1. Ceilings insulated to a level of R-30 (R value includes insulation only);

2. Walls insulated to a level of R-19 (R value includes insulation only), or constructed with two by four members, R-13 insulation batts, R-3.2 sheathing, and other normal assembly components;

3. Below grade walls, insulated on the interior side, to a level of R-19 (R value includes insulation only), or if insulated on the exterior side, to a level of R-10;

4. Floors over unheated space insulated to a level of R-19 (R value includes insulation only);

5. Slab on grade floors insulated to a level of R-10 at the perimeter;

6. Heat pumps with a minimum heating season performance factor (HSPF) of 6.8 or with all other energy sources with a minimum annual fuel utilization efficiency (AFUE) of seventy-eight percent (78%);

7. Double glazed windows with values of not more than U-0.65 when tested according to the procedures of the American Architectural Manufacturers Association (AAMA) standard #1503.1-88; and

8. A maximum glazing area of twenty-one percent (21%) of the floor area or, for purposes of determining equivalent thermal

performance, a maximum glazing area of fifteen percent (15%) of the floor area.

Section 5. Designation of Building Official. The Building Official of the Town of Yacolt is hereby authorized and directed to enforce the Yacolt Energy Code. The Mayor or the Mayor's designee shall be the Building Official.

Section 6. Contracts for services. The Town of Yacolt hereby authorizes interlocal agreements or contracts for services with other municipal governments necessary to administer this Ordinance and the Yacolt Energy Code as herein created.

Section 7. Penalties. Any person, firm, corporation or other entity violating any of the provisions of this Ordinance is guilty of a misdemeanor, and each such person, firm, corporation or other entity is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted, and upon conviction of any such violation, shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

The Building Official, and his or her authorized employees or agents, may issue and serve criminal citations pursuant to this Section.

In addition to or as an alternative to imposing criminal penalties, the Building Official or his or her designee shall have the authority to impose civil penalties in an amount not to exceed Five Hundred Dollars (\$500.00) for any violation of this Ordinance.

Section 8. Severability. If any provision of this Ordinance or the Northwest Energy Code as amended by this Ordinance, or any provision of the Washington State Energy Code, or its application to any person or circumstance is held invalid, the remainder of this Ordinance, the Northwest Energy Code or the Washington State Energy Code as adopted by this Ordinance or the

application of the provision to other persons or circumstances is not affected.

Section 9. Repealer. All ordinances of the Town of Yacolt in conflict herewith are hereby repealed.

Section 10. Effective date. This Ordinance shall become effective on the 1st day of September, 1990.

ADOPTED this 26 day of February, 1990.

Attest:

TOWN OF YACOLT

Irene Christensen
IRENE CHRISTENSEN, Town Clerk

By Paul Grooms
MAYOR PAUL GROOMS

Approved as to Form Only

By Mark Hansen
MARK B. HANSEN, Town Attorney

AYES: Councilmembers Kaski, Messer, Robinson, Alexander

NAYES: None

ABSENT: None