



SEATTLE CITY COUNCIL

Legislative Summary

CB 118630

Record No.: CB 118630

Type: Ordinance (Ord)

Status: Passed

Version: 1

125000

In Control: City Clerk

File Created: 10/09/2015

Final Action: 03/10/2016

Title: AN ORDINANCE relating to building energy use benchmarking and reporting; directing the Office of Sustainability and Environment to make building energy benchmarking reports and, where available, an energy performance rating available to the public; amending Sections 22.920.060, 22.920.125, and 22.920.170 of the Seattle Municipal Code; and amending Ordinance 124927, which adopted the 2016 Budget, changing appropriations to various departments and budget control levels, and from various funds in the Budget; all by a 3/4 vote of the City Council.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Sawant

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: rebecca.baker@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	02/02/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text:		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	Notes:						
1	City Clerk	02/02/2016	sent for review	Council President's Office			
	Action Text:		The Council Bill (CB) was sent for review. to the Council President's Office				
	Notes:						
1	Council President's Office	02/04/2016	sent for review	Sustainability and Transportation Committee			

Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee
Notes:

1 Council President's Office 02/18/2016 sent for review Energy and Environment Committee

Action Text: The Council Bill (CB) was sent for review. to the Energy and Environment Committee
Notes:

1 Full Council 02/22/2016 referred Energy and Environment Committee

1 Energy and Environment Committee 02/25/2016 pass Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:

In Favor: 3 Chair Sawant, Vice Chair Juarez, O'Brien
Opposed: 0

1 Full Council 02/29/2016 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant
Opposed: 0

1 City Clerk 03/03/2016 submitted for Mayor's signature Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:

1 Mayor 03/10/2016 Signed

Action Text: The Council Bill (CB) was Signed.
Notes:

1 Mayor 03/10/2016 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1 City Clerk 03/10/2016 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:

CITY OF SEATTLE
ORDINANCE 125000
COUNCIL BILL 118630

1
2
3
4
5 AN ORDINANCE relating to building energy use benchmarking and reporting; directing the
6 Office of Sustainability and Environment to make building energy benchmarking reports
7 and, where available, an energy performance rating available to the public; amending
8 Sections 22.920.060, 22.920.125, and 22.920.170 of the Seattle Municipal Code; and
9 amending Ordinance 124927, which adopted the 2016 Budget, changing appropriations
10 to various departments and budget control levels, and from various funds in the Budget;
11 all by a 3/4 vote of the City Council.
12

13
14 WHEREAS, The City of Seattle (City) has a goal to become a carbon neutral city by 2050 and
15 adopted a strategy for achieving this goal through Resolution 31447, adopting the 2013
16 Seattle Climate Action Plan; and

17 WHEREAS, the 2013 Seattle Climate Action Plan includes an action to make information from
18 the energy benchmarking reports publicly accessible; and

19 WHEREAS, cities with full transparency of energy benchmarking reports and additional
20 regulations have attained higher rates of energy use reduction; and

21 WHEREAS, as part of its 2013 Seattle Climate Action Plan, the City set a 2050 goal for
22 reducing emissions from all commercial and residential buildings from 2008 levels by 45
23 percent and 63 percent, respectively; and

24 WHEREAS, emissions tracking from 2008 to 2012 through a citywide greenhouse gas inventory
25 shows the City is not currently on track in per-year energy reductions to meet these
26 targets; and

27 WHEREAS, RCW 19.27A.170 requires disclosure of nonpublic nonresidential benchmarking
28 data and ratings for buildings greater than 10,000 square feet to a prospective buyer,
29 lessee, or lender for the most recent continuously occupied 12-month period; and

1 WHEREAS, the City will publicly post annual building energy benchmarking reports and, where
2 available, an energy performance rating; and

3 WHEREAS, it is appropriate to make technical and procedural corrections to Chapter 22.920;

4 NOW, THEREFORE,

5 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

6 Section 1. Section 22.920.060 of the Seattle Municipal Code, last amended by Ordinance
7 123993, is amended as follows:

8 **22.920.060 Maintaining energy utility records**

9 Utilities providing energy service to a nonresidential or multi-family benchmark building shall
10 maintain energy consumption data for each building for at least the most-recent ~~((twelve))~~ 24
11 months in a format capable of being uploaded to the United States Environmental Protection
12 Agency's Energy Star Portfolio Manager.

13 On and after June 1, 2010, upon written or secure electronic authorization by an authorized
14 representative of the building owner, the utility providing energy service to the building shall
15 upload the utility consumption data for the accounts specified by an authorized representative of
16 the building owner to the United States Environmental Protection Agency's Energy Star Portfolio
17 Manager, in a form that does not disclose personally-identifying information. Utility companies
18 have 30 days from receipt of such written or secure electronic authorization to upload
19 information to Energy Star Portfolio Manager.

20 Section 2. Section 22.920.125 of the Seattle Municipal Code, enacted by Ordinance
21 123993, is amended as follows:

22 **22.920.125 Response to Notice of Violations**

23 A. A person must respond to a notice of violation in one of the following ways:

1 1. Pay the amount of the penalty specified in the notice of violation, in which
2 case the record shall show a finding that the person cited committed the violation; or

3 2. Request in writing an administrative review in accordance with Section
4 22.920.130 and provide a mailing address to which a benchmarking and reporting program
5 violation challenge form may be sent.

6 B. A response to a notice of violation must be received by the ((Department of Finance
7 and Administrative Services)) Office of Sustainability and Environment no later than 30 days
8 after the date the notice of violation is mailed or otherwise served. When the last day of the
9 administrative appeal period so computed is a Saturday, Sunday, or federal or City holiday,
10 the period shall run until 5 p.m. on the next business day.

11 Section 3. Subsection 22.920.170.G of the Seattle Municipal Code, which section was
12 last amended by Ordinance 123993, is amended as follows:

13 **22.920.170 Contested hearings**

14 * * *

15 G. Appeal. The Hearing Examiner's decision is the final decision of the City. Any judicial
16 review must be commenced ((in Seattle Municipal Court with review of any Municipal Court
17 decision being subject to review under the Civil Rules for Courts of Limited Jurisdiction)) by
18 applying for a writ of review in the King County Superior Court within 14 days from the date of
19 the decision in accordance with the procedure set forth in chapter 7.16 RCW, other applicable
20 law, and court rules.

21 Section 4. This ordinance authorizes and directs the Office of Sustainability and
22 Environment to amend the Implementation of Energy Performance Benchmarking Director's

1 rule to make individual building energy benchmarking reports and, where available, an energy
2 performance rating publicly available.

3 Section 5. The provisions of this ordinance are declared to be separate and severable. The
4 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance,
5 or the invalidity of its application to any person or circumstance, does not affect the validity of
6 the remainder of this ordinance or the validity of its application to other persons or
7 circumstances.

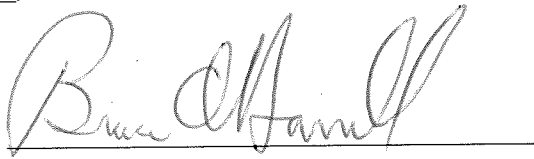
8 Section 6. In order to pay for necessary costs and expenses incurred or to be incurred, but
9 for which insufficient appropriations were made due to causes that could not reasonably have
10 been foreseen at the time of making the 2016 budget, appropriations for the following items in
11 the 2016 budget are increased from the funds shown, as follows:

Item	Fund	Department	Budget Control Level	Amount
6.1	General Subfund (00100)	Office of Sustainability and Environment	Office of Sustainability and Environment (X1000)	\$ 95,000
Total				\$ 95,000

12

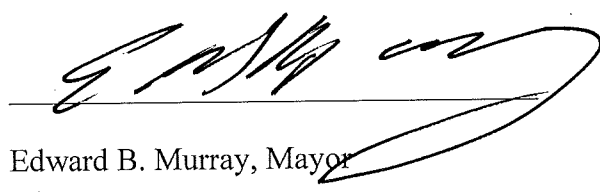
1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 29th day of February, 2016, and
5 signed by me in open session in authentication of its passage this
6 29th day of February, 2016.

7 
8 _____

9 President _____ of the City Council

10
11 Approved by me this 10 day of MARCH, 2016.

12 
13 _____
14 Edward B. Murray, Mayor

15
16 Filed by me this 10th day of MARCH, 2016.

17 
18 _____

19 Monica Martinez Simmons, City Clerk

20
21
22 (Seal)
23