



Legislation Details (With Text)

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**Title:** Hold a public hearing to receive input from the public on the proposed adoption of the 2015 International Energy Conservation Code with proposed amendments.

**Sponsors:**

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**Attachments:** 1. Proposed 2015 Energy Code Adoption Ordinance, 2. Council Power Point Presentation 2015 IECC, 3. Citizen Requests for Public Hearing, 4. Requests from Trade Groups, 5. 2015 IECC Appendix RB

Date	Ver.	Action By	Action	Result
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Agenda Information Sheet

**DEPARTMENT:** Development Services/Building Inspections

**CM/ ACM:** Jon Fortune

**Date:** August 16, 2016

**SUBJECT**

Hold a public hearing to receive input from the public on the proposed adoption of the 2015 International Energy Conservation Code with proposed amendments.

**BACKGROUND**

Section 214.217 of the Texas Local Government Code provides that prior to considering an ordinance adopting a “model code”, a municipality must post a notice on its website a minimum of 21 days in advance of the proposed adoption in order to provide opportunity for public input. This section also provides that if the municipality receives a minimum of 5 requests for a public hearing, a hearing must be held before the City Council. This hearing must occur a minimum of 14 days prior to the adoption of the ordinance.

In keeping with the aforementioned requirements, a notice was posted on the City’s website on July 12, 2016 to seek input from the public on the proposed adoption of the 2015 International Energy Conservation Code. As of August 1, 2016, the Building Official has received nine (9) requests for a public hearing from citizens of the City of Denton as well as input from two (2) trade representatives and one (1) volunteer. As a result, this item has been placed on this agenda for a public hearing.

**CURRENT ADOPTION**

The 2015 International Energy Conservation Code (IECC) was published by the International Code Council (ICC) in the first quarter of 2015. Upon publication, the Energy Code Board of the North Central Texas Council of Governments (COG) reviewed the Code and recommended several significant amendments. The COG amendments were then reviewed by the Energy Systems Laboratory at Texas A&M and deemed to be equivalent to the 2009 IECC which is the version of the IECC that is currently enforced in the State of Texas.

In May of 2015, the Texas Legislature passed House Bill 1736 establishing Chapter 11 of the 2015 International Residential Code as the energy code for residential construction within the state with an effective date of September 1, 2016. It also gave the State Energy Conservation Office (SECO) the authority to adopt the latest edition of the IECC for all other construction. SECO used this authority and adopted the 2015 IECC as the energy code for the State of Texas for commercial structures with an effective date of November 1, 2016. SECO published this notice in the January 1, 2016 edition of the Texas register. In light of this notice, the Energy Systems Laboratory (ESL) again reviewed the proposed COG amendments and found that 3 sections of the amendments dealing with the air leakage allowances and insulation values in exterior walls were not equivalent to the 2015 IECC and IRC and advised all COG members of this determination. The amendments were then published to the municipalities within this 16-county North Central Texas region for consideration of adoption with notations that these 3 sections would no longer be valid once the 2015 Code became effective.

The City of Denton Building Inspections Division began reviewing the COG amendments in the first quarter of 2016 anticipating adopting the code by September 1, 2016. The 3 sections noted by ESL as non-compliant were removed from the amendments at that time. On June 29, 2016, the amended 2015 International Energy Conservation Code was presented to area professionals including builders, contractors, plumbers, mechanical contractors, architects, and engineers. The presentation highlighted the most significant changes from the 2012 code to the 2015 version of the code which were well received by the attendants. At that time, those present recommended the adoption of the 2015 IECC as written with no minimum above code requirements.

In April and June of this year, City of Denton Building Inspections Division hosted 8 half day 2015 Energy Code workshops sponsored by the State Energy Conservation Office (SECO) and presented by Apple Energy. These workshops were designed to provide information to contractors, builders, architects, engineers and code officials to help them prepare for the upcoming changes to the code. More than 200 people attended these training classes.

On July 21, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the Health and Building Standards Commission (HaBSCo). The Commission, with a 7-0 vote, recommended adoption of the code as amended with no above code requirement to the City Council

On July 25, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the Council Committee on the Environment (COE) for a formal recommendation to council. The Committee, with a 3-0 vote, recommended adoption of the code as amended with no above code requirement to the City Council.

On July 26, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the City Council for a recommendation and council voted 6-0 to recommend adoption of the code as amended with no above code requirement.

## **FISCAL IMPACT**

Staff does not anticipate any fiscal impact as a result of adopting this code.

### **OPTIONS (No action required)**

1. Direct staff to proceed with formal adoption of the 2015 Energy Code as proposed.
2. Request more information about the 2015 Energy Code.

### **RECOMMENDATION**

Staff recommends that the City Council adopt the 2015 International Energy Conservation Code along with staff recommended amendments.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:** Economic Development  
**Related Goal:** 3.1 Develop targeted policies and incentives to achieve desired economic growth

### **EXHIBITS**

1. Proposed 2015 Energy Code Adoption Ordinance
2. Council Power Point Presentation 2015 IECC
3. Citizen Requests for Public Hearing
4. Requests from Trade Groups
5. 2015 IECC Appendix RB

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