

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **11:00am on Monday**. Contact the Mayor's Legislative team with questions

Date of Request: **8/5/22**

Please mark one: ☒ Bill Request or ☐ Resolution Request

1. Type of Request:

- ☐ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
- ☐ Dedication/Vacation ☐ Appropriation/Supplemental ☒ DRMC Change
- ☐ Other:

2. **Title:** (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Amends Chapter 10, sections 10-20 and 10-404, of the Denver Revised Municipal Code to clarify energy efficiency requirements of existing buildings.

3. **Requesting Agency:** **Office of Climate Action, Sustainability, and Resiliency and Community Planning and Development**

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Katrina Managan	Name: Katrina Managan
Email: katrina.managan@denvergov.org	Email: katrina.managan@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

This requests the clean-up of a few items in the Energize Denver Ordinance that City Council passed unanimously last November to reduce greenhouse gas emissions from commercial and multifamily buildings 80% by 2040. For details on what Energize Denver is, see the Energize Denver Hub at www.denvergov.org/energizedenver. The following is a detailed explanation of all clean-up changes in the requested ordinance:

- Page 1: Applicability language added narrowing the applicability of the electrification requirements from all existing buildings to only commercial and multifamily existing buildings, as originally intended. Currently the ordinance would also apply to single family homes, which was never intended.
- Page 1: The definition of condensing unit is updated to include language 'only in a heated space' so that that language doesn't need to be repeated every time a condensing unit is mentioned throughout. The same change is made to 'unitary air conditioner' on page 2. These changes improve the readability of other sections.
- Page 1: The definition of 'electrification retrofit feasibility report' is clarified for better readability and understanding, and 'schematic design' is removed since schematic design is a very specific technical term in the hvac industry that was not intended here.
- Page 2: A few typos are corrected in definitions.
- Page 3: 'January 1, 2023' is changed to 'March 1, 2023' to line up these code changes with the rest of the building code changes CPD is bringing to Council this fall.
- Page 3: Boilers are excluded from review prior to permitting in 2023 since no requirements apply to boilers until 2025, and so there is no benefit to send them through review until 2025.
- Page 3: "unitary air conditioner or condensing unit" is added in a few locations since it was omitted in error from the 2023 requirements (and only included in the 2025 requirements) to correct a drafting error. 2023 help prepare the market for 2025 requirements, so these system types need to go through the 2023 process change.
- Page 4: the word "furnace" is removed so that all equipment has to be correctly sized.

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- Page 4: “economic hardship” exemptions are removed from 2023 to correct a drafting error. Economic hardship is defined in the ordinance in terms of the cost difference between a gas system and a required electric system, and in 2023 there are no electrification requirements, so we have no definition or need for economic hardship exemptions in 2023.
- Page 6 & 7: The words ‘schematic design’ are removed to align with the clarified definition of electrification retrofit feasibility reports.
- Page 7: The word ‘space’ is changed to ‘water’ to correct an error.
- Page 8: The word ‘solar’ is changed to ‘renewable’. The word ‘fully’ is removed. The state is developing building performance standards that are likely not to align on renewables, leaving building owners in a bad situation where they might build renewables to comply with the City and then realize those don’t count towards compliance for the State. These two changes will let us honor the original intent and spirit of the Energize Denver Task Force recommendations, while considering aligning with the state if that helps this ordinance achieve it’s intended balance of being both ambitious for the climate and truly practical and implementable for our community.

6. **City Attorney assigned to this request (if applicable): Adam Hernandez**

7. **City Council District: N/A**

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

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