CITY OF LOGAN, UTAH
ORDINANCE NO. 07-63

AN ORDINANCE REQUIRING LEED CERTIFICATION FOR CITY BUILDING PROJECTS.

WHEREAS, the City desires to promote sound environmental practices in construction work that is funded by the City; and

WHEREAS, many professionals in our region are familiar with the LEED process, which is considered to be a consensus-based national standard for developing high-performance, sustainable buildings; and

WHEREAS, at this time, the USGBC has formally adopted and promulgated three alternative certification standards, being the LEED Green Building Rating System for New Construction and Major Renovations (LEED-NC) as adopted in November 2002 and revised in November 2005, the LEED Green Building Rating System for Commercial Interiors (LEED-CI) as adopted in November 2002, and the LEED Green Building Rating System for Existing Buildings Upgrades, Operations and Maintenance (LEED-EB) as adopted in October 2004 and updated in July 2005; and

WHEREAS, the foregoing alternative standards provide for various certifications designated as “Certified,” “Silver,” “Gold,” or “Platinum,” based on the number of specified environmental practices incorporated into a project, with “Certified” being the lowest level of certification; and

WHEREAS, LEED standards are considered to promote a healthy environment, provide long-term cost benefits through the efficient use of energy, optimize building performance, and create healthier workplaces for employees and visitors; and
WHEREAS, the City has determined to require the use of LEED standards under certain circumstances to obtain the benefits promoted by those standards.

NOW, THEREFORE, be it ordained by the City Council that the following ordinance be adopted:

USE OF LEED STANDARDS IN CITY BUILDING CONSTRUCTION PROJECTS

PURPOSE. The purpose of this ordinance is to promote city-owned development consistent with sound environmental practices by requiring that city-owned building projects obtain, at a minimum, the “Silver” designation from the USGBC as defined herein.

DEFINITIONS. As used in this ordinance:

A. “City building project” means the construction or major renovation of a municipal building that will contain more than 10,000 square feet of occupied space when the design contract for such project commences on or after August 1, 2007.


C. “Major renovation” means work that demolishes space down to the shell structure and rebuilds it with new walls, ceilings, floors and systems, when such work affects
more than twenty five percent (25%) of the building’s square footage, and the affected space is at least 10,000 square feet or larger.

D. “Silver” means the level of compliance with LEED standards designated as “Silver” by the USGBC.

E. “Temporary structure” means any proposed building that is intended to be in existence for five (5) years or less or any existing building that at the time it was constructed was intended to be in existence for five (5) years or less.

F. “USGBC” means the organization known as the United States Green Building Council.

APPLICATION. All city building projects shall, at a minimum, obtain a Silver certification by the USGBC, subject to the exceptions set forth in this ordinance.

EXCEPTIONS. The provisions of this ordinance shall not apply if the Mayor determines in writing that any of the following circumstances exist:

A. The city building project will serve a specialized, limited function, such as a pump station, garage, storage building, equipment area, or other similar area;

B. The city building project is intended to be a temporary structure;

C. The useful life of the city building project or other factors do not justify whatever additional expense would be incurred to increase the building’s long-term efficiency;
D. The application of LEED standard factors will increase construction costs beyond the funding capacity for the project, or will require that the project’s scope of work or programmatic needs be diminished to meet budget constraints;

E. The use of LEED standard factors will create an impediment to construction due to conflicts of laws, building code requirements, federal or state grant funding requirements, or other similar requirements;

F. LEED factors are not reasonably attainable due to the nature of the facilities or the schedule for construction; or

LIMITATIONS. Nothing required under this ordinance shall supersede any federal, state or local law, including, without limitation, any contract, grant, or other funding requirement; or other standards or restrictions that may otherwise apply to an applicable building project. This ordinance shall not apply whenever its application would disadvantage the City in obtaining federal funds. The penalty provisions of Logan Municipal Code Chapter 1.16 shall not apply to this ordinance.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 21st DAY OF August, 2007, BY THE FOLLOWING VOTE:

AYES: Sweney, Reedham, Taylor, Thompson

NAYS: 

ABSENT: 

ATTEST:

Lois Price, City Recorder

Steven C. Taylor, Chair
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this 21st day of August, 2007.

Steven C. Taylor, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 23rd day of August, 2007.

Randy Watts, Mayor