

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE amending Chapter 22.920 of the Seattle Municipal Code

WHEREAS, the City has a goal to become a carbon neutral city by 2050, and adopted a strategy for achieving this goal through the 2013 Seattle Climate Action Plan; and

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

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

WHEREAS, as part of its 2013 Seattle Climate Action Plan, the City set 2030 interim targets for reducing emissions from all commercial and residential buildings by 45% and 32%, respectively from 2008 levels; and

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

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

WHEREAS, the City will publicly share individual building annual energy benchmarking reports and, where available, an energy performance rating; NOW, THEREFORE,

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

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

**22.920.060 - Maintaining energy utility records**

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

1 Section 2. Subsection A of Section 22.920.125 of the Seattle Municipal Code, which  
2 Section was last amended by Ordinance 123993, is amended as follows:

3 **22.920.125 - Response to Notice of Violations**

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

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

7 2. Request in writing an administrative review in accordance with Section  
8 22.920.130 and provide a mailing address to which a benchmarking and reporting

9 program violation challenge form may be sent. B. A response to a notice of violation  
10 must be received by the (~~Department of Finance and Administrative Services~~) Office of

11 Sustainability and Environment no later than 30 days after the date the notice of violation  
12 is mailed or otherwise served. When the last day of the administrative appeal period so  
13 computed is a Saturday, Sunday, or federal or City holiday, the period shall run until 5  
14 p.m. on the next business day.

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

17 **22.920.170 - Contested hearings**

18 \* \* \*

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

3           Section 4. This ordinance authorizes and directs the Office of Sustainability and  
4 Environment to amend the Director’s rule to make individual building energy benchmarking  
5 reports and, where available, an energy performance rating publicly available.

6           Section 5. The provisions of this ordinance are declared to be separate and severable. If a  
7 court of competent jurisdiction, all appeals having been exhausted or all appeal periods having  
8 run, finds any provision of this ordinance to be invalid or unenforceable as to any person or  
9 circumstance, such offending provision shall, if feasible, be deemed to be modified to be within  
10 the limits of enforceability or validity. However, if the offending provision cannot be so  
11 modified, it shall be null and void with respect to the particular person or circumstance, and all  
12 other provisions of this ordinance in all other respects, and the offending provision with respect  
13 to all other persons and all other circumstances, shall remain valid and enforceable.

14           Section 6. This ordinance shall take effect and be in force 30 days after its approval by  
15 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
16 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

17           Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and  
18 signed by me in open session in authentication of its passage this  
19 \_\_\_\_ day of \_\_\_\_\_, 2015.

21 \_\_\_\_\_  
22 President \_\_\_\_\_ of the City Council

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Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

Monica Martinez Simmons, City Clerk

(Seal)