



A BILL FOR AN ORDINANCE

AMENDING CHAPTER 16 OF THE REVISED ORDINANCES OF HONOLULU 1990,
AS AMENDED, RELATING TO THE BUILDING CODE.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to require all new building construction to meet minimum LEED standards of environmentally sensitive design and construction.

LEED is a rating system established through a national consensus-based approach by the U.S. Green Building Council, a non-profit building industry organization based in Washington, D.C., to define green building practices by establishing a common nationwide standard of measurement. LEED provides a complete framework for assessing building performance and meeting sustainability goals. By adopting progressive LEED standards, the City and County of Honolulu will require integrated, whole-building design practices, energy and water efficiency, and indoor environmental quality.

SECTION 2. Chapter 16, Revised Ordinances of Honolulu 1990, is amended by adding a new article to be appropriately designated by the revisor of ordinances and read as follows:

“Article __. Adoption of Green Building Standards

Sec. 16-___.1 Definitions.

As used in this article, unless the context clearly indicates otherwise:

“Appropriate LEED rating system” means the particular LEED rating system that applies to a specified type of building.

“Green Building Council” means the United States Green Building Council, an organization that has developed and published the LEED rating system to measure the energy and environmental performance of a building.

“LEED” refers to the series of Leadership in Energy and Environmental Design (LEED) rating systems developed by the Green Building Council.



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Sec. 16-__2 Applicability; Submission of plans and specifications.

- (a) This article shall apply to construction of new buildings permitted on or after January 1, 2010, except:
 - (1) New buildings for which LEED certification is not available; or
 - (2) New buildings that the director of planning and permitting has determined that compliance with LEED standards would be infeasible or inappropriate.

This article shall not apply to building construction that is deemed to enlarge, alter, repair, move, improve, remove, or convert an existing building.

- (b) Plans, specifications and necessary computations shall be submitted as part of the permit application sufficient to indicate design plans for the building that are likely to achieve the applicable LEED standard. Plans and specifications for work to comply with the provisions of this article shall be prepared, designed or approved by a LEED accredited professional.

Sec. 16-__3 Standards and requirements.

- (a) By January 1, 2010, all new building construction shall achieve a Silver-level rating in the appropriate LEED rating system, as certified by the Green Building Council, the director, or a qualified person approved by the director.
- (b) By January 1, 2012, all new building construction shall achieve a Gold-level rating in the appropriate LEED rating system, as certified by the Green Building Council, the director, or a qualified person approved by the director.
- (c) By January 1, 2014, all new building construction shall achieve a Platinum-level rating in the appropriate LEED rating system, as certified by the Green Building Council, the director, or a qualified person approved by the director.
- (d) Before the director or a qualified person approved by the director may certify LEED ratings under this section, the director shall adopt rules that specify:
 - (1) The process used by the director to certify that a building complies with any applicable LEED rating system, including the types of persons who are approved by the director to certify compliance; and
 - (2) The standards and procedures under which the director may approve full or partial waivers of Section 16-__3 when compliance would be



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impractical or unduly burdensome and the public interest would be served by the waiver pursuant to Section 16-___.2(a)(2).

Sec. 16-___.4 Rules.

In accordance with HRS chapter 91, the director shall adopt rules having the force and effect of law for the implementation, administration, and enforcement of this article.

Sec. 16-___.5 Report.

The director shall submit to the council, no later than January 1 of each year beginning 2011 and thereafter, a list of each waiver of the requirements of this article that the director approved during the preceding calendar year and any condition attached to the waiver."



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SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

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DATE OF INTRODUCTION:

NOV 07 2007

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2007.

MUFI HANNEMANN, Mayor
City and County of Honolulu

FILED
NOV 07 2009
PURSUANT TO ROH Sec. 1-2.4