## Chapter 9 STANDARDS FOR CONSTRUCTION OF COUNTY BUILDINGS, ROADS, BRIDGES AND CAUSEWAYS [[1]](#BK_A5D3DC052C076615D7CF720936D53925)

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FOOTNOTE(S):

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**Editor's note—** Ord. No. 07-65, § 2, adopted May 8, 2007, changed the title of chapter 9 from construction: roads, bridges and causeways, etc., to standards for construction of county buildings, roads, bridges and causeways. [(Back)](#BK_94E95E7116E7BD8994BFCEC6EF45B967)

### ARTICLE I. IN GENERAL

[Sec. 9-1. Construction of expressway in south Miami-Dade area east of U.S. Highway No. 1 prohibited.](#BK_0C946A1B03188B5D005964974A0DC283)

[Sec. 9-2. Expansion of Old Cutler Road.](#BK_67B5E7088153CC89A370DB6E49F44175)

[Sec. 9-2.1. Expansion of Coral Way between LeJune and Red Road.](#BK_BDAE7943C8EF1968C3731BC23F75C1F3)

[Sec. 9-2.2. Expansion of Main Highway (between Charles Street and Douglas Road), Ingraham Highway (between Douglas Road and LeJune Road) and Douglas Road (between Main Highway and Ingraham Highway).](#BK_67D7B14A847C4EEAAB5D3110C121C7E9)

[Sec. 9-2.3. Expansion of Sunset Drive between Cocoplum Circle and Galloway Road.](#BK_1AB0A2751128829428346FBD40EE6299)

[Sec. 9-2.4. Expansion of Crandon Boulevard on Key Biscayne.](#BK_22793BF30E5F56381BE98A02D78083EC)

[Sec. 9-3. Contract extensions; exemption from requirements.](#BK_F8B7BFB727F0296FF91C95FE67B31914)

[Secs. 9-4—9-50. Reserved.](#BK_1D0C0C56D7DC89173403231FA9C73F68)

Sec. 9-1. Construction of expressway in south Miami-Dade area east of U.S. Highway No. 1 prohibited.

No person, as defined in Section 1.01(3), Florida Statutes (1971), nor public body, as defined by Section 1.01(9), Florida Statutes (1971), shall construct any expressway, as defined by [Section 33-121.10](../level4/PTIIICOOR_CH33ZO_ARTVISI_DIV5COSIEXRI-W.docx#PTIIICOOR_CH33ZO_ARTVISI_DIV5COSIEXRI-W_S33-121.10DE)(a), Miami-Dade County Code, in that area of Miami-Dade County east of U.S. Highway No. 1 (South Dixie Highway) and south of Flagler Street. The word "construct" as used herein includes, but is not limited to, the expansion of any existing road, street, highway or other public right-of-way into an expressway.

(Ord. No. 72-46, § 1, 9-6-72; Ord. No. 72-47, § 2, 9-6-72)

Sec. 9-2. Expansion of Old Cutler Road.

The expansion of that particular road in Miami-Dade County known as Old Cutler Road, from its present character as a country road, is hereby prohibited, and no person, as defined by Section 1.01(3), Florida Statutes (1971), nor public body, as defined by Section 1.01(9), Florida Statutes (1971), shall undertake to widen or expand Old Cutler Road from its presently existing paved right-of-way; provided, for the purpose of assuring safe travel on Old Cutler Road, the Board of County Commissioners, after public hearing with the reasonable notice by newspaper publication, may permit the limited expansion of intersections of said Old Cutler Road.

(Ord. No. 72-47, § 1, 9-6-72)

Sec. 9-2.1. Expansion of Coral Way between LeJune and Red Road.

(a) The expansion of that particular road in Miami-Dade County known as Coral Way (between LeJune and Red Roads), from its present character as an historic, canopied roadway, is hereby prohibited, and no person, as defined by Section 1.01(3), Florida Statutes (1971), nor public body, as defined by Section 1.01(9), Florida Statutes (1971), shall undertake to widen or expand Coral Way (between LeJune and Red Roads) from its presently existing paved right-of-way.

(b) Both the expansion of the original plazas known as Ponce de Leon, Columbus, Balboa, Segovia and LeJune and the removal or alteration of the live oak trees which canopy the roadway are hereby prohibited and no person, as defined by Section 1.01(3), Florida Statutes (1971), nor public body, as defined by Section 1.01(9), Florida Statutes (1971), shall undertake to alter or remove said plazas or live oak trees as they presently exist.

(Ord. No. 76-54, §§ 1, 2, 6-15-76)

**Editor's note—**

Ord. No. 76-54, §§ 1, 2, is included herein as [§ 9-2.1](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-2.1EXCOWABELERERO) at the discretion of the editors.

Sec. 9-2.2. Expansion of Main Highway (between Charles Street and Douglas Road), Ingraham Highway (between Douglas Road and LeJune Road) and Douglas Road (between Main Highway and Ingraham Highway).

The expansion of the particular roads in Miami-Dade County known as Main Highway (between Charles Street and Douglas Road) and Ingraham Highway (between Douglas Road and LeJune Road) and Douglas Road (between Main Highway and Ingraham Highway) from their present character as historic, canopied roadways is hereby prohibited, and no person, as defined by Section 1.01(3), Florida Statutes (1971), nor public body, as defined by Section 1.01(9), Florida Statutes (1971), shall undertake to widen or expand Main Highway (between Charles Street and Douglas Road) or Ingraham Highway (between Douglas Road and LeJune Road) or Douglas Road (between Main Highway and Ingraham Highway) from their presently existing paved right-of-way.

(Ord. No. 76-55, § 1, 6-15-76)

**Editor's note—**

Ord. No. 76-55, § 1, is included herein as [§ 9-2.2](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-2.2EXMAHIBECHSTDOROINHIBEDOROLERODOROBEMAHIINHI) at the discretion of the editors.

Sec. 9-2.3. Expansion of Sunset Drive between Cocoplum Circle and Galloway Road.

The expansion or widening of that particular road in Miami-Dade County known as Sunset Drive (S.W. 72nd Street) from Cocoplum Circle to Galloway Road (S.W. 87th Avenue), except those portions of Sunset Drive within the corporate limits of the City of South Miami, is hereby prohibited. No person or entity, whether public or private, shall undertake to expand or widen the foregoing portions of Sunset Drive from Cocoplum Circle to Galloway Road.

(Ord. No. 83-10, § 1, 3-1-83)

**Editor's note—**

At the discretion of the editor, § 1 of Ord. No. 83-10, adopted March 1, 1983, has been included as Code [§ 9-2.3](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-2.3EXSUDRBECOCIGARO)

Sec. 9-2.4. Expansion of Crandon Boulevard on Key Biscayne.

The expansion or widening of that particular road in Miami-Dade County known as Crandon Boulevard on Key Biscayne is hereby prohibited. No person or entity, whether public or private, shall undertake to expand or widen the foregoing roadway, or to alter the median strip thereof or to construct a bicycle path (except for landscape maintenance and enhancement); provided, however, for the purpose of assuring safe travel on Crandon Boulevard, the Board of County Commissioners, after public hearing, with reasonable notice by newspaper publication, may permit the limited expansion of intersections or the alteration of the median strip or the construction of a bicycle path of said Crandon Boulevard.

(Ord. No. 87-85, § 1, 12-1-87)

Sec. 9-3. Contract extensions; exemption from requirements.

(a) When, following the receipt of competitive bids, the County has entered into a contract with a particular builder or contractor calling for the construction of a project and that contract requires the builder to complete the project or some defined portion thereof by a specified date or else be liable to the County for liquidated damages, the Board of County Commissioners may, in its discretion, by majority vote extend the period of time in which the project may be completed for good cause shown and demonstrated, before or after the specified date for completion of the project stated in the contract. For purposes of this section, good cause may be established only if the cause of the construction delay is expressly contemplated and provided for in the underlying contract, and if such delay is non-contractor caused and non-compensable to the County.

(b) This section shall not apply to any contracts for the construction of all or any part of Stage I of the Rapid Transit System under [Section 2-171](../level3/PTIIICOOR_CH2AD_ARTXXRATRPR.docx#PTIIICOOR_CH2AD_ARTXXRATRPR_S2-171COMAAUMASTI), or to any contracts for the Aviation Department under [Section 2-285](../level3/PTIIICOOR_CH2AD_ARTXXXIIAVDE.docx#PTIIICOOR_CH2AD_ARTXXXIIAVDE_S2-285COMAAUCOAVDE) or to any contracts covered by [Section 2-8.2.7](../level3/PTIIICOOR_CH2AD_ARTIINGE.docx#PTIIICOOR_CH2AD_ARTIINGE_S2-8.2.7ECSTOR)

(Ord. No. 72-73, § 1, 10-12-72; Ord. No. 79-76, § 3, 9-18-79; Ord. No. 95-64, § 4, 4-6-95; Ord. No. 98-96, § 2, 7-7-98; Ord. No. 00-34, § 1, 3-9-00)

**Editor's note—**

Ord. No. 72-73, § 1, added [§ 9-1](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-1COEXSOMIDEAREAU.HINO1PR), which was redesignated as [§ 9-3](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-3COEXEXRE) at the discretion of the editors inasmuch as §§ [9-1](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-1COEXSOMIDEAREAU.HINO1PR) and [9-2](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIINGE_S9-2EXOLCURO) already existed in the Code.

Note—See editor's footnote to Art. XX of Ch. 2

**Cross reference—** County Manager's authority to manage Stage I of the Rapid Transit System, § 2-171.

Secs. 9-4—9-50. Reserved.

### ARTICLE II. BISCAYNE BAY [[2]](#BK_5A1B2608A3236106B9A860774557B620)

[Sec. 9-51. Definitions.](#BK_42AB7637F040A51DDA02D25EE373BF75)

[Sec. 9-52. Permit; prerequisites, issuance, revocation.](#BK_A1F9EB8C5070D5C8768AE1233ACB23AB)

[Sec. 9-53. Penalty for article violation.](#BK_F6D486BEC3601945460963D833341CF3)

[Sec. 9-54. Bridges.](#BK_5837410A7944932388B74114B842D2F1)

[Sec. 9-55. Fishing catwalks.](#BK_9496B15965E3BF376DD7568FB96567DF)

[Sec. 9-56. Solid fill.](#BK_D3950FD5EFBA6EC3C7DC4F8F633097B2)

[Sec. 9-57. Causeway, bridge projects less than 2500 feet; exempted from certain provisions.](#BK_79390A4CA856C5A74D86A68993879CC2)

[Sec. 9-58. Approaches.](#BK_523EA5D121D08D5890C3CDE3847F975B)

[Sec. 9-59. Restrictions on structures and uses.](#BK_20E0CA089D70DDE9803B901C4C67CD38)

[Sec. 9-60. Elevation of roadway.](#BK_EDC8A1C0CC65A95C5C858E0AABC5AB72)

[Sec. 9-61. Shoulders.](#BK_49264FA13FB278B56B397D2ABFC8DB15)

[Sec. 9-62. Bases for design criteria.](#BK_E2396ADA112DE72ADBBD6812EC23B339)

[Sec. 9-63. Variances.](#BK_CBC906A9EC6E5BB3C0337140D243B088)

[Secs. 9-64—9-70. Reserved.](#BK_68D228B9852F5C296DDCA14E6AFAFD0E)

Sec. 9-51. Definitions.

(a) The term "mean sea level" refers to the datum plane or reference elevation established by the United States Coast and Geodetic Survey.

(b) The term "mean low water" refers to the datum plane or reference elevation established for Biscayne Bay by the United States Army Corps of Engineers.

(c) The term "project" as hereinafter employed includes any road or bridge, or modification thereof whether toll or free or any combination thereof, together with all related facilities, including but not limited to borrow pits or excavations, buildings, structures, causeways, approaches and other facilities related to or incidental to the foregoing, constructed or proposed to be constructed within any part of or across any part of the Biscayne Bay within Miami-Dade County, including the shoal areas within, and the seaward approaches to Biscayne Bay. The provisions of this article are not applicable to any existing project completed prior to April 15, 1966, nor to any work performed by the Corps of Engineers or its contractors under approved federal projects, but are otherwise applicable to projects owned, authorized or constructed by public entities and agencies as well as by private persons.

(d) The definitions provided in [Section 1-2](../level2/PTIIICOOR_CH1GEPR.docx#PTIIICOOR_CH1GEPR_S1-2DE), Metropolitan Code, are applicable to the provisions of this article.

(Ord. No. 66-15, § 1, 4-5-66; Ord. No. 85-56, § 1, 7-16-85)

Sec. 9-52. Permit; prerequisites, issuance, revocation.

It shall be unlawful for any project to be commenced or continued except by or under the direct supervision of an engineering contractor, duly qualified and authorized under the provisions of [Chapter 10](../level2/PTIIICOOR_CH10CO.docx#PTIIICOOR_CH10CO), Metropolitan Code, and pursuant to a permit authorizing and approving such project, such permit to be issued upon construction plans and specifications by the County Manager to such engineering contractor if and only if the standards and requirements hereinafter set forth are met and complied with. The County Manager is further expressly authorized and directed thereafter to revoke such permit summarily at any time upon his determination that such standards and requirements are not being met and satisfied. Such revocation may be appealed within thirty (30) days to the Board of County Commissioners, which after public notice and hearing shall reverse or sustain the revocation. No such appeal shall supersede the revocation.

(Ord. No. 66-15, § 2, 4-5-66)

Sec. 9-53. Penalty for article violation.

Any person, including specifically but not limited to the officers and managing agents of any entity, agency or corporation, private or public, who knowingly fails or refuses to obey or comply with, or wilfully violates, any of the provisions of this article, upon conviction of such offense, shall be punished by a fine not to exceed five hundred dollars ($500.00), or by imprisonment not to exceed sixty (60) days in the County Jail, or both, in the discretion of the court. Each day of continued violation shall be considered as a separate offense. In addition or alternatively by direction of the County Commission, the provisions of this article may be enforced by injunction or other appropriate civil action.

(Ord. No. 66-15, § 3, 4-5-66)

Sec. 9-54. Bridges.

The project shall contain at least one (1) fixed span opening with a minimum vertical clearance of fifty-five (55) feet above mean sea level and a minimum horizontal clearance of ninety (90) feet or alternatively one (1) bascule bridge to be manned at all times with a minimum vertical clearance of twenty-five (25) feet above mean sea level and the minimum horizontal clearance above specified for each three (3) miles of length. If not provided through compliance with the foregoing requirement, the project shall include additionally a bridge with a minimum vertical clearance of sixteen (16) feet above mean sea level and a minimum horizontal clearance of ninety (90) feet across each existing navigational channel whether artificially maintained or natural which permits a draft of five (5) feet at mean low water and whether such channel be presently marked with navigational aids or not. Provided, however, where such navigational channel is uninterrupted by shoal water less than five (5) feet in depth below mean low water for a distance of one (1) statute mile along the centerline of the project, one (1) bridge shall be provided for each such statute mile measured along the centerline of the project. Each bridge shall be located at such point or points as is designated by the Corps of Engineers or in default of such designation by the County Manager. At least the existing depth of water through each bridge shall be maintained.

(Ord. No. 66-15, § 4, 4-5-66)

Sec. 9-55. Fishing catwalks.

It shall be unlawful for any person to fish from any part of the structure, except from catwalks which shall be provided for that purpose. Such catwalks shall equal or exceed those specified and provided either by Miami-Dade County on the Rickenbacker Causeway or those provided by the State Department of Transportation on the Sebastian Inlet Bridge in Indian River County.

(Ord. No. 66-15, § 5, 4-5-66)

Sec. 9-56. Solid fill.

In order to minimize obstruction to the horizontal movement of waters in the Bay, destruction of marine life in the bay and interference with navigation, as much of the structure as is economically feasible shall be elevated. The following minimum requirements shall be observed:

(a) No solid fill shall be employed within a linear distance of one hundred (100) feet bayward of the established bulkhead line.

(b) Solid fill may not be employed for an aggregate total linear distance (exclusive of areas within the existing bulkhead lines) in excess of twenty-five (25) percent of the total linear distance of the project (exclusive of areas within existing bulkhead lines) unless supported by a hydraulic and tidal study prepared by a qualified professional engineer demonstrating the effect of the proposed obstruction upon horizontal water movement and unless the project is found by the Board of County Commissioners after public notice and hearing not to endanger life and property, private or public, in view of the obstruction to horizontal movement of bay waters and in the light of the study filed and any other studies or other evidence before the Board. The Board shall consider the unusual tides and winds to be expected with hurricanes.

(c) If any part of the fill required for the project is to be dredged or excavated from the Bay, it shall be obtained from a person whose excavation and dredging at that time is limited to and restricted to furnishing fill for the project, and such person shall not excavate or dredge in such a manner as to produce more fill than is reasonably required in the construction of the project.

(Ord. No. 66-15, § 6, 4-5-66)

Sec. 9-57. Causeway, bridge projects less than 2500 feet; exempted from certain provisions.

Sections [9-54](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIIBIBA.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIIBIBA_S9-54BR) through [9-56](../level3/PTIIICOOR_CH9STCOCOBUROBRCA_ARTIIBIBA.docx#PTIIICOOR_CH9STCOCOBUROBRCA_ARTIIBIBA_S9-56SOFI) above shall not apply to causeway and bridge projects of two thousand five hundred (2,500) feet or less in length as measured along the centerline of the project from existing mean high water line at one (1) end to mean high water line at the other end. The design of all such projects shall be supported by a hydraulic and tidal study prepared by a qualified professional engineer; shall be subject to approval of the Public Works Department, the United States Army Corps of Engineers, and appropriate State agencies such as the Trustees of the Internal Improvement Fund and the Florida Board of Conservation; and shall be governed by the following:

(a) Location and length of bridge portions and clearances, both vertical and horizontal, shall be based on a study of the location of the proposed crossing, the depth of water, the configuration of the bottom, tide and wind conditions of the area, requirements of navigation, and hydraulic analysis appropriate to good engineering practice.

(b) Solid fill portions shall comply with the requirements of all applicable federal and State statutes and shall be designed and constructed in a manner that will not cause harmful obstruction to or alteration of the natural flow of water, or increase erosion, shoaling of channels, or create stagnant areas of water, or cause material injury or monetary damage to adjoining lands.

(Ord. No. 66-15, § 7, 4-5-66)

Sec. 9-58. Approaches.

The project shall not intersect with nor otherwise provide for the flow of vehicular traffic into or onto any public road owned or maintained by Miami-Dade County without the prior approval of the Board of County Commissioners upon the recommendation of both the Public Works Director and the Planning and Zoning Director of Miami-Dade County that the County facility can accommodate the additional anticipated and projected traffic with safety.

(Ord. No. 66-15, § 8, 4-5-66; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 98-125, § 5, 9-3-98)

Sec. 9-59. Restrictions on structures and uses.

No office, house, apartment, store, restaurant, or other private or public building of any character by whomsoever owned or operated and no commercial or private use and no advertising shall be allowed in, on, over, or along any part of the project, unless specifically authorized by the Public Works Director. No part of the project may be used for any private commercial purpose and no part shall be used exclusively for any private purpose; however, the County may issue permits to or enter into leases with private parties for concession sales and rentals along the project. Said concession sales and rentals shall be under the supervision of the Public Works Director. Revenues generated from permits and/or lease agreements for concession sales and rentals shall be deposited for use by the Public Works Department to maintain, operate and further improve the facility unless otherwise required by any County pledge or bond issue. The project shall be designed, constructed and operated primarily for the purpose of affording a public way across and to the waters of Biscayne Bay for the use of the general public subject only to payment of a single reasonable toll charge.

(Ord. No. 66-15, § 9, 4-5-66; Ord. No. 85-56, § 2, 7-16-85)

Sec. 9-60. Elevation of roadway.

The minimum elevation at the crown of the roadway of the project shall not be less than six (6) feet above mean sea level.

(Ord. No. 66-15, § 10, 4-5-66)

Sec. 9-61. Shoulders.

The minimum width of the stabilized shoulder area on each side of all parts of the vehicular roadway constructed on solid fill shall equal or exceed twelve (12) feet.

(Ord. No. 66-15, § 11, 4-5-66)

Sec. 9-62. Bases for design criteria.

The structure shall equal or exceed all requirements of the United States Corps of Engineers and the State Department of Transportation and the Public Works Manual of Miami-Dade County and all other applicable federal, State and County regulations then in effect. In all respects not inconsistent with the foregoing provisions of this article, the design and engineering standards and the construction shall equal or exceed those standards prepared by the American Association of State Highway Officials' Committee on Planning and Design Policies, as published by the Association in 1957 under the title "A Policy on Geometric Design on Rural Highways," as such published code may be revised or superseded by such Association from time to time.

(Ord. No. 66-15, § 12, 4-5-66)

Sec. 9-63. Variances.

In the event the application of any one (1) or more of the requirements established by this article as applied to a particular project, in the light of the particular circumstances, is demonstrated to be either unreasonable, arbitrary or not in the public interest and if it be found that such requirement results in undue hardship to some person, the Board of County Commissioners may, after public notice and hearing at the petition of such person, grant a variance from the application of such regulation for that particular project.

(Ord. No. 66-15, § 13, 4-5-66)

Secs. 9-64—9-70. Reserved.

FOOTNOTE(S):

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**Editor's note—** Ord. No. 66-15, §§ 1 through 13, enacted April 5, 1966, and effective ten (10) days thereafter, amended the Code to add the provisions herein codified by the editors as Art. II, §§ 9-51 through 9-63 [(Back)](#BK_9DCB411C1E994071797495418497CC3E)

**Cross reference—** Designation of Biscayne Bay Park, §§ 7-5, 7-5.1, Biscayne Bay management, Ch. 33D. [(Back)](#BK_9DCB411C1E994071797495418497CC3E)

### ARTICLE III. SUSTAINABLE BUILDINGS PROGRAM

[Sec. 9-71. Title.](#BK_BFC7944736D872844792C8B0E50A0DC7)

[Sec. 9-72. Policy.](#BK_3C979F86629A60572077D3CF2FF03864)

[Sec. 9-73. Definitions.](#BK_0A475C59D29A92ED866E14E62FF56037)

[Sec. 9-74. Staffing.](#BK_106A3BC66393B528BA6568AEDEB6502E)

[Sec. 9-75. Measurement Standards and Compliance.](#BK_2F5043EDE0F20E1F86E295D8792B4BFA)

Sec. 9-71. Title.

This Article shall be entitled, "The Sustainable Buildings Program."

(Ord. No. 07-65, § 3, 5-8-07)

Sec. 9-72. Policy.

It shall be the policy of Miami-Dade County to incorporate, wherever practical, green building practices into the planning, design, construction, management, renovation, maintenance and decommissioning of buildings owned, financed, and/or operated by the County.

(Ord. No. 07-65, § 3, 5-8-07)

Sec. 9-73. Definitions.

Unless specifically defined elsewhere in this Chapter, the definitions provided in this Section shall apply.

(a) *Green building* is a structure that is designed, built, renovated, operated and reused in an ecological and resource-efficient manner.

(b) *Green building practices* are environmentally and socially-conscious practices that emphasize processes and methods of design and construction that:

(i) reduce exposure to noxious materials,

(ii) conserve non-renewable energy and scarce materials,

(iii) minimize life-cycle ecological impact of energy and materials,

(iv) employ renewable energy or materials that are sustainably harvested,

(v) protect and restore local air, water, soils, flora and fauna, and

(vi) support pedestrians, bicycles, mass transit and other alternatives to fossil-fueled vehicles.

(c) *New construction* is the design and construction of any new building, or an addition to an existing building.

(d) *Major renovation/remodel* is any design and construction project that alters the structure of an existing building where the cost of construction is equal to or exceeds 50% of the building's replacement cost.

(e) *Non-major renovation/remodel* is any design and construction project that alters the structure of an existing building where the cost of construction is less than 50% of the building's replacement cost.

(f) *Renovate* is to improve or repair the condition of a building.

(g) *Sustainable building* means building processes that integrate materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction and operation of the built environment.

(Ord. No. 07-65, § 3, 5-8-07)

Sec. 9-74. Staffing.

(a) *Sustainability Manager.* The County Manager, or his designee, shall appoint a qualified staff person to serve as the Sustainability Manager, who will be charged with implementing the requirements of this Article, as well as coordinating the sustainability initiatives of other County departments and agencies. The Sustainability Manager shall be authorized to interpret and enforce all of the provisions of this Article.

(b) *Sustainability Liaison.* All County departments engaged in designing and constructing County-owned buildings shall designate a staff member with authority or expertise in project management, architecture, landscape architecture, design, engineering, resource conservation, budget analysis and other skills to act as a liaison with the Sustainability Manager.

(Ord. No. 07-65, § 3, 5-8-07)

Sec. 9-75. Measurement Standards and Compliance.

(a) *Rating System.* The Sustainability Manager shall select a nationally-recognized rating system that sets standards for implementing green building practices in design and construction, which may include, but not be limited to, the Leadership in Energy and Environmental Design Rating System administered by the U.S. Green Building Counsel. This rating system will be used to measure compliance with the terms of this Article. The rating system selected for each category of construction by the Sustainability Manager shall be set forth in an Implementing Regulation to be approved by the Board of County Commissioners.

(b) *Standard for County-owned buildings.* All new construction, major renovations/remodels, and non-major renovations/remodels of County-owned buildings shall adhere to the nationally-recognized rating system standards designated by the Sustainability Manager for that particular category of construction, as described in subsection (a) above.

(c) *Standard for County-financed, County-leased, and County-operated buildings.* The Sustainability Manager shall evaluate and propose criteria for the use of green building practices in connection with County-financed, County-leased, and County-operated buildings. The criteria shall be set forth in an Implementing Regulation to be approved by the Board of County Commissioners.

(d) *Interpretations, exemptions and waivers.* The Sustainability Manager shall establish such processes, policies, and procedures as may be necessary to guide the consideration of requests for interpretations of this Article, or for exemption or waiver from the requirements of this Article.

(Ord. No. 07-65, § 3, 5-8-07)