

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To amend, on a temporary basis, the Green Building Act of 2006 to change delivery dates for benchmarking data, to clarify the nature of the data to be delivered, to authorize the imposition of a \$100-per-day fine for owners or tenants who fail to submit necessary data, and to encourage school construction to achieve LEED gold certification.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Green Building Technical Corrections Temporary Amendment Act of 2011”.

Sec. 2. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

(a) Section 3(a)(2) (D.C. Official Code § 6-1451.02(a)(2)) is amended by adding a new subparagraph (A-i) to read as follows:

Note,
§ 6-1451.02

“(A-i) Notwithstanding subparagraph (A) of this paragraph, a public school shall be verified as having fulfilled or exceeded the current edition of the LEED standard for commercial and institutional buildings at the gold level or higher, if sufficient funding for the construction or renovation is provided.”.

(b) Section 4 (D.C. Official Code § 6-1451.03) is amended as follows:

Note,
§ 6-1451.03

(1) Subsection (b)(1)(B) is amended by adding a new sentence at the end to read as follows:

“Schools shall aspire to meet LEED for Schools certification at the gold level or higher.”.

(2) Subsection (c)(2) is amended as follows:

(A) Subparagraph (A)(ii)(I) is amended by striking the phrase “January 1 of the respective following year.” and inserting the phrase “April 1 of the respective following year. In 2011 only, the scores and statements shall be made available to DDOE no later than July 1.” in its place.

(B) New subparagraphs (C) and (D) are added to read as follows:

“(C) Benchmarking data required in this paragraph shall include water consumption data as incorporated in the Portfolio Manager Benchmarking Tool.

“(D) A building owner or tenant who fails to timely, accurately, and

completely submit the benchmarking information required by this paragraph to DDOE or to the building owner shall be assessed a penalty by DDOE of not more than \$100 for each day during which the required submission has not been made. Civil infraction fines, penalties, and fees may be imposed as alternative sanctions for such failure, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.* (“Civil Infractions Act”). Adjudication of an infraction shall be pursuant to the Civil Infractions Act.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia