

ATTACHMENT D
Appendix C – Energy Efficiency Requirement

EXISTING RESIDENTIAL RENTAL STRUCTURES
ENERGY CONSERVATION

C101
SCOPE

C101.1 Scope. Appendix C sets standards for residential rental unit energy efficiency. The energy efficiency requirements of this section shall apply to all residential rental units licensed according to B.R.C. 1981, 10-3-2, Rental licenses.

C101.2 Compliance. The energy efficiency of existing residential rental units must comply with Section C101.2.1 for prescriptive energy efficiency requirements or Section C101.2.2 for performance energy efficiency requirements.

Exceptions:

1. Buildings constructed after July 17, 2001
2. Buildings that can be verified as meeting or exceeding the energy efficiency requirements of the 2000 International Energy Conservation Code.
3. The code official may accept energy efficient, innovative materials, methods and/or equipment in accordance with Section 105 of this code as an alternative to the prescriptive and performance methods as detailed. Point values assigned to innovative materials, methods and/or equipment will be at the discretion of the code official.
4. Building owners proposing to initiate prescriptive or performance measures in rental housing units experiencing a financial hardship may petition the code official for a time extension of up to one rental license cycle when carbon offsets are purchased in the interim period until the measures are completed. Carbon offset purchases would be in proportion to the upgrades required to make the units comply with the cumulative 100 SmartPoints or the 120 Home Energy Rating Score (HERS).
5. The code official may allow reasonable alterations and modifications in the award of prescriptive points and other requirements of this chapter if it is found that the strict application of the requirements.
 - a. Requires an alteration to an individual landmark or contributing building in a historic district that would not be eligible for approval as part of a landmark certificate.
 - b. When purposes of this appendix are otherwise met through such alterations and modifications.
 - c. When it is necessary to remove barriers for housing that is affordable to households, as that term is used in Chapter 9-13, “Inclusionary Zoning,” B.R.C. 1981.
 - d. Windows modified to meet these requirements would include the installation of storm windows with an assumed .35 U-value assigned for awarding prescriptive or performance points.
6. Residential rental units included in the City of Boulder affordable housing sector are required to meet the following energy efficiency criteria to be considered in compliance:
 - a. Units weatherized after September 1994.
 - b. Units not weatherized after September 1994 must be on a waiting list for the weatherization work to be accomplished at the beginning of the first rental license renewal cycle.

- c. If weatherization is not completed by the beginning of the second rental license renewal cycle one additional cycle will be granted.
- d. Further license renewal cycles to obtain energy efficiency may be granted due to financial hardship through the City of Boulder, Housing and Human Services Department.

C101.2.1 Prescriptive energy efficiency options. Existing residential rental structures shall demonstrate energy efficiency compliance by obtaining a minimum cumulative score of 100 prescriptive SmartPoints utilizing existing baseline points and additional efficiency upgrade points as detailed in Table C101.2. The time frame required to meet this energy efficiency requirement is as detailed in items 1 and 2 below.

- 1. Option 1: at time of rental license initiation or renewal owners must demonstrate a cumulative minimum of 100 SmartPoints per rental unit or single family dwelling or;
- 2. Option 2: at the first rental license initiation or renewal cycle owners must demonstrate a cumulative baseline and SmartPoints total of 50. Additionally, at the second rental renewal cycle owners must demonstrate that the remaining SmartPoints have been obtained to meet a minimum, cumulative total of 100 SmartPoints per unit or single family dwelling.
 - a. Should the units baseline be greater than 50 SmartPoints, the property would need to obtain the amount of points necessary to reach 100 SmartPoints at the initial or first rental license renewal.
- 3. An energy efficiency compliance certificate signed by a licensed and approved contractor per B.R.C. 1981, 4-4-4- (g) Building Contractor License and 4-4-5, License Application and Qualifications, shall be provided at the time of rental license renewal to verify prescriptive compliance requirements have been met.

C101.2.2 Performance energy efficiency option. Existing residential rental structures shall demonstrate energy efficiency compliance by obtaining a minimum HERS of 120 points per rental unit or single family dwelling prior to time of initiation or rental renewal cycle.

- 1. A HERS rating shall be performed by a rater accredited by the Residential Energy Services Network (RESNET).
- 2. For multi-dwelling rental structures a HERS index sampling protocol authorized and approved by the code official may be utilized.
- 3. A final HERS certificate must be submitted to the city before issuing a new or renewing the rental license.

C101.3 Administration and enforcement. Administration and enforcement of these measures shall be as detailed in Part 2 of this code.