

ORDINANCE No. 188143 As Amended

Require disclosure of energy performance ratings for residential single family buildings when listed for sale to promote transparency in housing costs and reduction in local carbon emissions (Ordinance; add Code Chapter 17.108)

The City of Portland ordains:

Section 1. The Council finds:

1. The world's leading scientists consistently conclude that climate change caused by human emission of greenhouse gases is among the most significant problems facing the world today and potentially poses the greatest economic, environmental, and social challenge of the 21st century.
2. The immediate economic benefits of climate solutions are often significant, including energy efficiency savings and job creation, while long term climate stabilization can prevent irreparable harm from catastrophic impacts of climate change.
3. The State of Oregon has established a goal to reduce greenhouse gas emissions to 75 percent below 1990 levels by 2050.
4. The City of Portland established a goal to reduce carbon emissions 80 percent below 1990 levels by 2050 (Resolution No. 36548), and the 2009 Climate Action Plan (Resolution No. 36748) and 2015 Climate Action Plan (Resolution No. 37135) include a 2030 Objective to reduce the total energy use of all buildings built before 2010 by 25 percent.
5. Buildings are the largest source of carbon emissions in Portland, and the 2009 and 2015 Climate Action Plans included actions to require energy performance disclosure for residential and commercial buildings.
6. In 2015, City of Portland established a requirement for commercial energy performance reporting. Ordinance No. 187095. By April 2017, 80 percent of Portland's commercial building square footage will be publicly reporting energy performance.
7. Voluntary programs to support the use of home energy ratings have been in place since 2008, and, while they have helped establish an industry trained and able to provide performance ratings, have resulted in fewer than two percent of Portland homes with energy scores.

NOW, THEREFORE, the Council directs:

- a. Title 17 of the City Code is amended by adding Chapter 17.108 Residential Energy Performance Rating and Disclosure as set forth in Exhibit A attached to this ordinance.
- b. The Bureau of Planning and Sustainability will develop solutions to cover the upfront costs of policy compliance for homeowners who qualify for exemptions.
- c. Bureau of Planning and Sustainability will meet with stakeholders, including AARP, Elders into Action and other groups representing potentially vulnerable homeowners, to discuss how best to implement exemptions to City Code Title 17.108.

- d. No fewer than two months prior to the effective date of the City Code Chapter 17.108, the Bureau of Planning and Sustainability will report to City Council on proposed solutions to cover the costs of program compliance for homeowners who qualify for exemptions and how best to implement those exemptions.
- e. No fewer than two months prior to the effective date of the City Code Chapter 17.108, the Bureau of Planning and Sustainability will report back to City Council on the market readiness for policy implementation, including but not limited to the number of home energy assessors licensed, trained and prepared to meet the market demand for the number of daily home listings on the real estate market.
- f. Within 30 months after the effective date of the City Code Chapter 17.108, the Bureau of Planning and Sustainability will report back to City Council on results of a program evaluation of the disclosure of single family residential energy performance information, including but not limited to accuracy of disclosed information, rates of compliance, other program impacts and recommendations for ongoing review.

Section 2. The amendments to Title 17 set forth in Exhibit A attached to this ordinance shall be effective on and after January 1, 2018. In anticipation of the effective date of the code amendment, the Director of the Bureau of Planning and Sustainability, acting through her authorized designees, shall undertake to exercise the rulemaking authority described in Section 17.108.030 to adopt rules for the timely implementation of the code amendments, including publication of proposed rules, public review and comment and adoption of final rules.

Passed by the Council: DEC 14 2016

Mayor Charlie Hales
Prepared by: Kyle Diesner
Date Prepared: November 3, 2016

Mary Hull Caballero
Auditor of the City of Portland

By

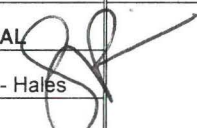

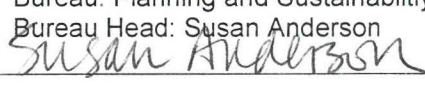
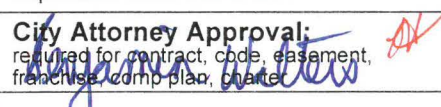


Deputy

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Agenda No.
ORDINANCE NO. 188143 As Amended
Title

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INTRODUCED BY Commissioner/Auditor: Charlie Hales	CLERK USE: DATE FILED <u>11/15/2016</u>
COMMISSIONER APPROVAL 	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	By: <u></u> Deputy
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Planning and Sustainability Bureau Head: Susan Anderson <u></u>	NOV 23 2016 CONTINUED TO DEC 07 2016 9:30 A.M. As Amended
Prepared by: Kyle Diesner Date Prepared: November 1, 2016	DEC 07 2016 PASSED TO SECOND READING As Amended DEC 14 2016 9:30 A.M.
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <u></u>	
Council Meeting Date November 23, 2016	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>9:45 am</u>
Total amount of time needed: <u>1 hour</u> (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/>
Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	