

**APPLICATION OF THE CHAPTER 12 (ENERGY METERING) REQUIREMENTS
IN THE SEATTLE ENERGY CODE**
(August 12, 2011)

Chapter 12 of the Seattle Energy Code requires metering of all energy supplied to the building. For buildings with a gross conditioned floor area of 20,000 ft² and larger, additional meters (a.k.a., “submeters”) are required for each energy source to separately measure energy consumption of heating/ventilation/air conditioning systems, lighting systems, plug load systems, process systems, and other miscellaneous systems. The purpose of measuring the consumption is to make data available to building owners and operators to fine-tune their management of energy use in their buildings. However, there may be other uses for the data in the future.

After a briefing and discussion with DPD staff, Mayor Mike McGinn directed DPD to continue enforcement of Chapter 12 of the Seattle Energy Code for new nonresidential construction projects, and to suspend enforcement of its provisions for construction projects in existing buildings until further notice. The Mayor’s reasons for this decision included:

- Seattle should continue to be a leader in energy code policy.
- This is one area where it is appropriate that policy leads technology, i.e., technology should improve as a result of the policy.
- Since similar regulations are likely to be instituted in the relatively near future, building owners and the construction industry in Seattle will have a competitive advantage over those who wait to deal with the learning curve later.
- Recognition of the high costs of implementing submetering in existing buildings.

As a result of this decision, DPD will continue to enforce Chapter 12 of the Seattle Energy Code for new nonresidential construction, but will suspend enforcement of Chapter 12 of the Seattle Energy Code immediately for construction projects in existing buildings. DPD suspended enforcement of Chapter 12 for residential spaces effective July 12, 2011.

However, the Mayor also directed DPD to continue to gather input from stakeholders on the impacts of this decision. To that end, if you have comments on any aspect of Chapter 12, whether in favor of the provisions or not, please send them to John Hogan at john.hogan@seattle.gov. If you have questions about the application of the Seattle Energy Code to a particular project, please contact Shailesh Desai at shailesh.desai@seattle.gov.

For more information and background, please see below.

2009 WASHINGTON STATE ENERGY CODE BACKGROUND:

- In 2009, the Washington State Building Code Council (SBCC) conducted their normal code development process to adopt the 2009 Washington State Energy Code (WSEC). This process included review of proposals by the Energy Code Technical Advisory Group (TAG) in advance of review by the full SBCC. Energy Code TAG membership represented of a broad spectrum of interests, but did not include an electrical contractor or electrical engineer.

- In November, 2009, the SBCC approved what would become the 2009 WSEC, including the TAG-recommended provisions in Chapter 12, Energy Metering. The 2009 WSEC went into effect on January 1, 2011.
- In June, 2011, the SBCC received a petition requesting repeal of Chapter 12 of the 2009 WSEC. While several reasons were given in support of the petition (including lack of involvement of electrical contractors and engineers), the main reason given was the cost of implementation. On July 12, 2011, the SBCC passed an emergency rule to “immediately suspend the energy metering requirements in Chapter 12 of the [WSEC] while reviewing the requirements and looking at the economic aspects of metering” (quote taken from the SBCC online home page).

2009 SEATTLE ENERGY CODE BACKGROUND:

- After the SBCC approved the 2009 WSEC, DPD conducted its normal process during the early part of 2010 to amend the 2009 WSEC, resulting in the 2009 Seattle Energy Code. During this process, several amendments were made to Chapter 12, to clarify its application for nonresidential spaces. This was in accordance with State law which allows local amendments to the WSEC provisions for nonresidential spaces, but does not allow local jurisdictions to amend the technical provisions of the WSEC applying to residential spaces. Compliance with the 2009 Seattle Energy Code became mandatory on November 22, 2010 for nonresidential spaces, and January 1, 2011 for residential spaces.
- As DPD reviews actual projects, we’ve been learning more about the challenges of implementing Chapter 12. Concerns expressed by permit applicants led to the policy discussions with the Mayor.

IMPLICATIONS OF THE JULY 12, 2011 SBCC DECISION FOR THE SEATTLE ENERGY CODE:

- A. **Residential spaces:** In accordance with State law, Seattle must abide by the SBCC decision as related to residential spaces (as defined in Chapter 2 of the 2009 WSEC) in projects of any size. Since Chapter 12 does not apply to single family or small multi-family residential projects to begin with (up to 4 dwelling units, 2 stories, and 5000 square feet of floor area), the effect of the SBCC decision was that DPD suspended enforcement of the provisions of Chapter 12 on larger residential spaces effective July 12, 2011. Any future enforcement of Chapter 12 requirements for residential spaces will coincide with future SBCC decisions on criteria and timing.
- B. **Nonresidential spaces:** By State law, Seattle is allowed to have Energy Code provisions for non-residential spaces that are more stringent than the WSEC. Because Chapter 12 is still legally adopted, Seattle can continue to enforce the Seattle-amended version for nonresidential projects. Seattle has made a policy decision to enforce Chapter 12 for new construction, but to suspend enforcement for existing buildings.