

Topic:	Green Buildings & Energy Efficiency
Resource Type:	Regulations
State:	Georgia
Jurisdiction Type:	Municipal
Municipality:	City of Doraville
Year (<i>adopted, written, etc.</i>):	Unknown
Community Type – applicable to:	Urban; Suburban
Title:	City of Doraville Buildings and Building Regulation Ordinance
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Abstract

Under the Doraville, Georgia buildings and building regulation, the City formally adopts Version 2.2 of the U.S. Green Building Council’s (USGBC) Leadership in Energy and Environmental Design for New Construction and Major Renovations rating system (LEED-NC), any future amendments thereto will be reviewed by the City before consideration is given to the adoption of such amendments. Doraville is a northern suburb of Atlanta and covers 3.6 square miles with almost 11,000 residents. The area typically has hot humid summers and mild, but occasionally chilly winters by the standards of the southern United States.

Doraville regulations require that all commercial building, office building, industrial building, multiple residence, or senior citizen multiple residence construction equal to or greater than 20,000 square feet of gross floor area must achieve certification under the LEED-NC. This requirement also applies to all new construction of municipal buildings, regardless of size. Upon submission of a building permit application, an applicant falling under these requirements must submit (1) a completed LEED checklist showing that the proposed building will achieve enough points to attain LEED Certified status or Green Globes Certified status, and (2) proof of registration of the proposed project with the USGBC.

The required certification (verified by documentation from USGBC) is a prerequisite to receiving a certificate of occupancy. A temporary certificate of occupancy can be issued after construction upon a satisfactory inspection by the city building inspector and confirmation that all documentation has been submitted for the required certification. Upon issuance of a temporary certificate of occupancy, the applicant shall pay a fee (scaled according to the square footage of the building) to ensure successful completion of the certification. The fee is refunded to the applicant once certification is obtained. The regulations also provide for an infeasibility exemption under certain circumstances, including but not limited to: the availability of markets for recycled material; the availability of green building materials and technologies; and the compatibility of green building requirements with existing building standards.

Resource

CODE OF ORDINANCES – CITY OF DORAVILLE, GEORGIA
PART II: CODE OF ORDINANCES
Chapter 5 – Buildings and Building Regulations
ARTICLE VI. LEED CERTIFICATION
§ 5-210 to § 5-217

§ 5-210. Purpose.

The City of Doraville is committed to minimizing the short term and long term negative impacts construction has on the environment. The intent of this article is to provide owners and occupants of commercial buildings, offices, industrial buildings, multiple residences and senior citizen multiple residences with energy and water savings, good indoor air quality and healthy, pleasant and productive surroundings. A further purpose of this article is to benefit the community by having buildings constructed that are resource-efficient and conserve energy.

§ 5-211. Definitions.

Leadership in Energy and Environmental Design (LEED-NC) Rating System, Version 2.2 and as amended as provided herein below. A regulatory system for new construction that establishes several levels of environmental achievement from a Certified rating to a Platinum rating.

United States Green Building Council (USGBC). An entity that promulgates the LEED-NC Rating System, Version 2.2 and as amended.

§ 5-212. Applicability.

This article adopts the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED-NC) Rating System, Version 2.2. any future amendments thereto will be reviewed by the City before consideration is given to the adoption of such amendments. The LEED-NC system (for new construction) establishes several levels of environment achievement from Certified rating to a Platinum rating. The ratings are attained by earning LEED points in the categories of Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, Indoor Environmental Quality and Innovation & Design Process.

This article shall be applicable to all new construction of a commercial building, office building, industrial building, multiple residence or senior citizen multiple residence equal to or greater than 20,000 square feet of gross floor area space and the provisions of this article are mandatory for any building permit application for such structures containing gross floor area space of equal to or greater than 20,000 square feet which are received by the City on or before

April 1, 2009. Furthermore, this article shall be applicable to all new construction of municipal buildings regardless of square footage.

§ 5-213. LEED Checklist.

a. Every applicant who files a building permit application for construction of a commercial building, office building, industrial building, multiple residence or senior citizen multiple residence, to contain equal to or greater than 20,000 square feet of gross floor area, shall provide a completed LEED checklist on a form acceptable to the Building Inspector or his designee.

b. Neither a land development permit nor a building permit shall be issued unless the LEED checklist shows that the proposed building will achieve enough points to attain LEED Certified status. No applicant shall be issued any permits until there is presented both (1) copies of the LEED checklist and (2) the registration of the proposed project with the USGBC.

§ 5-214. LEED Certification.

No permanent Certificate of Occupancy shall be issued unless and until the applicant produces verifiable documentation from the USGBC which affirms that the project is LEED Certified. However, upon completion of construction, satisfactory inspection by the City Building Inspector or his designee and confirmation that all documentation has been submitted for required certification, the City Building Inspector or his designee may issue a temporary Certificate of Occupancy. Upon issuance of a temporary Certificate of Occupancy, the applicant shall pay a fee to ensure successful completion of the Certification as set forth below. If the applicant achieves Certification status, the fee paid shall be refunded to the applicant, exclusive of a \$50.00 administrative processing charge.

Certification Fees			
	Less than 20,000 Square feet	20,000 - 50,000 Square feet	More than 50,000 Square feet
Design Review			
		\$0.25/Square Ft.	\$12,500.00
Construction Review			
		\$0.01/Square Ft.	\$5,000.00
LEED-NC		Based on Sq. Ft.	Fixed Rate
Combined Design &			

Construction Review			
		\$0.26/Square Ft.	\$17,500.00

§ 5-215. Green building certification.

a. Compliance and Enforcement. The Building Inspector or his designee shall determine whether the requirements under this pre-permitting documentation are implemented at each stage of construction, including at the foundation inspection, framing inspection, and prior to issuance of a final certificate of occupancy. The Building Inspector or his designee may

The Building Inspector or his designee shall review the information submitted by the applicant and determine whether the applicant will achieve the required certification as set forth herein. If the Building Inspector or his designee finds that the applicant is not reasonably expected to achieve LEED certification, the Building Inspector or his designee shall make the following findings:

- (1) If the covered project has not met the requirements for certification as set forth herein, whether the applicant has made a good faith effort to comply with the article;
- (2) If the applicant has not made a good faith effort to comply, or if the applicant fails to submit the documentation within the time period as set forth in the regulations, or fails to submit such documentation within a reasonable time period as determined by the Building Inspector or his designee, whether the final building permit approval or Certificate of Occupancy should be withheld;
- (3) If the applicant has not complied with this article, whether the applicant should be required to undertake further actions to mitigate this non-compliance.

b. Infeasibility exemption. The Building Inspector or his designee may issue an exemption from any of the requirements of this article upon finding that circumstances exist that make it a hardship or infeasible for the applicant to meet those requirements. These circumstances may include, but are not limited to:

- (1) The availability of markets for materials to be recycled;
- (2) The availability of green building materials and technologies; and
- (3) The compatibility of green building requirements with existing building standards.

The burden shall be on the applicant to show circumstances to establish infeasibility.

§ 5-216. No Certificate of Occupancy.

No Certificate of Occupancy shall be issued unless and until the applicant produces documentation acceptable to the Building Inspector or his designee that the constructed commercial building, industrial building, office building, multiple residence, senior citizens residence or municipal building has achieved sufficient points to attain LEED status.

§ 5-217. Appeals.

Any applicant may appeal to the City Council the determination of non-compliance.