

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

March 11, 2024

### AN ORDINANCE TO AMEND CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS

<b>CHAPTER 5</b>	<b>BUILDINGS AND BUILDING REGULATIONS</b>
<b>ARTICLE III</b>	<b>BUILDING CONSTRUCTION STANDARDS</b>
<b>SEC. 5 – 65</b>	<b>SPECIALIZED ENERGY CODE</b>

**THAT** the City Council of the City of Newburyport hereby amends Chapter 5 Buildings and Building Regulations, Article III Building Construction Standards by amending Section 5-65 to the City of Newburyport Code of Ordinances as follows:

#### 5-65.1 Purpose

The purpose of the Specialized Energy code 225 CMR 22.00 and 23.00 including Appendices RC and CC, also referred to as the Specialized Energy Code is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings with the goal of achieving net Zero greenhouse gas emissions from the buildings sector no later than 2050. §

#### 5-65.2 Definitions

- a. International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

- b. Specialized Energy Code – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.
- c. Stretch Energy Code - Codified by the combination of 225 CMR 22 and 23 <sup>1</sup>, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code. The stretch energy code was previously codified in 780 CMR appendix 115.aa, prior to the passage of the 2021 Act Creating a Next-generation Roadmap for Massachusetts Climate Polity (2021 Climate Act).

#### 5-65.3 Applicability

This energy code applies to residential and commercial buildings.

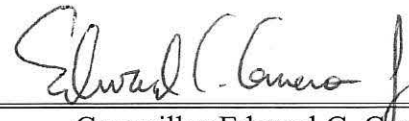
#### 5-65.4 Specialized Code

The Specialized Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, is herein incorporated herewith.

The Specialized Code is enforceable by the inspector of buildings or building commissioner.

The effective date of this ordinance is July 2025.

  
Councillor Afroz K. Khan

  
Councillor Edward C. Cameron, Jr.

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<sup>1</sup> Note: The Stretch energy code was previously codified in 780CMR appendix 115.aa, prior to the passage of the 2021 Act Creating a Next-generation Roadmap for Massachusetts Climate Policy (2021 Climate Act). The 2021 Climate Act transferred authority for promulgation of the Stretch energy code to the Department of Energy Resources

**In City Council March 11, 2024:**

Motion to refer Planning & Development and COTW by Councillor McCauley, seconded by Councillor Harman. Roll call vote, 10 yes, 1 absent (Khan), motion passes.

**In City Council April 8, 2024:**

Motion to approve by Councillor Shand, seconded by Councillor Preston. Motion to move to a date certain, April 29, 2024 by Councillor McCauley, seconded by Councillor Harman. Roll call vote, 10 yes, 1 absent, motion passes.

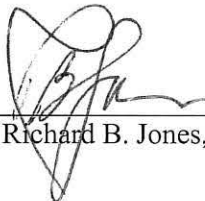
**In City Council April 29, 2024:**


Motion to take ODNC00166 off the table by Councillor Shand, seconded by Councillor Khan. So voted. Motion to approve on 1<sup>st</sup> reading as amended in committee to include the language not to begin "until July 2025" by Councillor Shand, seconded by Councillor Khan. Roll call vote, 7 yes (Wright, Granas, Harman, Khan, Preston, Shand, and Cameron) 4 no (Zeid, Donahue, Lane, McCauley), motion passes.

**In City Council May 13, 2024:**

Motion to approve on second reading by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 8 yes, 1 no (Zeid), 2 absent (Lane, McCauley), motion passes.

Approve:   
Sean R. Reardon, Mayor

Attest:   
Richard B. Jones, City Clerk

Date:   
5/30/2024