

Commercial Building Ordinance Exemptions and Extensions Request

Properties wishing to claim an exemption from or an extension to the requirements of the Commercial Buildings Energy Efficiency Ordinance of the City of Atlanta must fill out the following form and attach supporting evidence to demonstrate a property’s eligibility for said exemptions or extensions. *Note: Energy audits are not required for any buildings prior to 2016.*

Property Owner:

Property Manager/Benchmarking Point-of-Contact:

Phone:

Email:

Atlanta Building ID Number:

Property Address:

Property is applying for:

Exemption from benchmarking requirements

Exemption from audit requirements

1-year extension to audit requirements

Please indicate which exemption/extension the property qualifies for:

Sign below to verify the information related to this request is true and accurate. Misrepresenting any material fact in these documents may lead to a rejection of the request, a violation of City codes, and may result in a fine.

Please attach any supporting evidence to demonstrate a property’s eligibility for claimed exemptions or extensions to this document.

Exemptions and Extensions to Commercial Building Energy Efficiency Ordinance:

Benchmarking Exemptions:

Covered non-municipal properties

* 25,000-49,999 sqft buildings exempt until 1/1/2017
* No occupancy certification or no temporary occupancy certification
* Demolition permit issued **and** demolition has commenced
* Multi-family housing, if electricity data aggregation isn’t available **and** there’s no master meter
* Commercial buildings where the owner isn’t responsible for operating or maintaining equipment or paying for utilities, but **only** if electricity data aggregation isn’t available **and** there’s no master meter
* Financial hardship
  + a property that:
    - Had arrears of property taxes or water or wastewater charges that resulted in the property’s inclusion, within two years prior to the due date of a summary audit report, on the City of Atlanta Department of Finance’s annual tax lien sale list;
    - Has a court appointed receiver in control of the asset due to financial distress;
    - Is owned by a financial institution through default by the borrower;
    - Has been acquired by a deed in lieu of foreclosure; or
    - Has a senior mortgage subject to a notice of default.
* No utility services

Audits Exemptions:

Audits are required for the base building systems of a property. Base building systems not covered:

* Systems owned, maintained and paid for by residential or commercial tenants
* Systems that exclusively serve residential tenants that residential tenants pay the bills for
* Industrial

Audit Exceptions:

* EPA EnergyStar for 2 of the last 3 years
* Would have been EnergyStar certifiable for 2 of the last 3 years if EPA offered it, but EnergyStar certification is unavailable for that building type
* EnergyStar score or EUI has improved 15 points in the last five years
* Meets the most recent LEED EBOM for 2 of the last 3 years

OR

* No occupancy certification or no temporary occupancy certification
* Demolition permit issued and demolition has commenced
* Multi-family housing, if electricity data aggregation isn’t available and there’s no master meter
* Commercial where owner isn’t responsible for operating or maintaining equipment, or paying for utilities, but only if electricity data aggregation isn’t available and there’s no master meter
* Financial hardship (see above)
* No utility services

Audit Extensions:

* Good faith effort made but failed to obtain (limit of 2)
* Financial hardship (see above)
* <50% of rentable floor area occupied by tenants **AND** the number of reduced-cost audits has declined substantially year-to-year (limit of 3)
* Converted from Industrial to Commercial (audit due 5 years after conversion)

Audit Deferments (audits not due in the regular cycle):

* New buildings (<10 yrs old) that meet current energy code
* Substantially improved buildings that meet current energy code
* Audit performed since 1/1/2010 that qualifies under this ordinance (ASHRAE Level II or completed by Georgia Power), with paperwork signed and certified by the professional who did the work. This qualifies as early compliance is only good in the first round of audits. **Early compliance paperwork must be submitted in 2016.**