

City of Salem

In the year two thousand twenty-one

An Ordinance to amend an ordinance relative to municipal buildings, operations and transportation

Section 1. Chapter 12 Building, Electricity and Plumbing Regulations is hereby amended by adding the following new Article:

“ARTICLE V. GREENING THE CITY OF SALEM’S MUNICIPAL BUILDINGS, OPERATIONS AND TRANSPORTATION

SEC. 12.250 PURPOSE

The purpose of this Ordinance is to promote public health, safety, and welfare by requiring sustainable design, construction, purchasing and practices for municipal buildings, operations, and transportation. This Ordinance intends to promote energy conservation, improve environmental quality and encourage Low Impact Development (LID) principles.

Through this Ordinance, the City of Salem intends to lead by example in setting standards for its own buildings, operations and transportation; reduce its greenhouse gas (GHG) emissions by reducing energy consumption, shifting to renewable sources of energy and embracing smart, clean technology; strive to reduce, reuse and recycle products to decrease pollution and minimize impacts on our community and natural resources; and shift its transportation fleet to electric and hybrid vehicles while easing options for electric vehicle car charging and bicycle parking.

The City of Salem is committed to fulfilling a 100% zero net energy goal by maximizing onsite renewable energy production while minimizing energy consumption and the operational costs of municipal buildings.

SEC. 12.251 GREEN MUNICIPAL BUILDINGS

(1) NEW CONSTRUCTION, RENOVATION, AND ADDITIONS

City-owned or leased new construction or major renovations greater than or equal to five thousand square feet (5,000 sq. ft.) and additions to City-owned or leased buildings greater than or equal to ten thousand square feet (10,000 sq. ft.) shall be certified as, at minimum, one of the following:

- Passive House Institute US (PHIUS) PassiveHouse®
- United States Green Building Council (USGBC) LEED® Gold
- Another applicable sustainable rating system as approved by the Mayor with the

recommendation by the Sustainability, Energy, and Resiliency Committee.

In addition to the requirement set forth above, all new City-owned or leased buildings, major renovations of City-owned or leased buildings or complete roof replacements on City-owned or leased buildings must include at least one of the following:

- Solar power system
- Green Roof
- White Roof/Solar Ready Roof

(2) DESIGN TEAMS

All requests for design services for City owned or leased facilities shall reference this Ordinance. For those projects before the Designer Selection Committee, the Committee shall ensure that design teams selected for all applicable projects that are subject to this Ordinance shall be qualified to implement the standards in this ordinance and, at a minimum, include one LEED® accredited professional with demonstrated experience in designing buildings that would meet the requirements of this policy and goals.

(3) GREEN INFRASTRUCTURE AND PERMEABLE MATERIALS

City-owned properties shall employ best management practices and Low Impact Development (LID) to minimize stormwater runoff, thereby keeping water sources cleaner and reducing flooding. Additionally, land management practices shall require increasing sustainable vegetation to mitigate urban heat island effects and reduce flooding and encourage stormwater infiltration.

All City projects must meet the federal requirements for stormwater regulations if the new paved area is over five thousand (5,000) square feet.

(4) MAINTENANCE AND TRAINING

All new and major renovations projects must include an operation and maintenance plan which includes training. Ongoing training related to the provisions of this Ordinance shall be considered by Departments in their annual budget submissions.

SEC. 12.252 GREEN MUNICIPAL OPERATIONS

(1) ENVIRONMENTALLY PREFERABLE PURCHASING

The City of Salem's Purchasing Department shall create an Environmentally Preferable Purchasing Program (EPPP) to guide the purchasing of sustainable products for city buildings, operations, and city-run events. The EPPP shall include standards for third-party certifiable green cleaning products; recycled and/or compostable plates, utensils, cups; hybrid or electric vehicles; low-emitting and recyclable materials; EnergyStar® appliances; and training for relevant City Departments and staff in procurement practices reflective of the EPPP. The EPPP shall be updated every two years at a minimum and submitted to the Sustainability, Resiliency, and Energy Committee for review and comment whenever so updated.

runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Environmentally Preferable Purchasing Program: A plan to procure more environmentally friendly products.

LEED: The USGBC Leadership in Energy and Environmental Design Green Building Rating System®.

Light Duty and Heavy Duty Vehicles – Heavy duty vehicles are defined as those with a gross vehicle weight (GVW) of 8,500 pounds or more. A vehicle less than 8,500 GVW is considered a light duty vehicle.

LID: Low Impact Development, a land planning and engineering design approach to manage stormwater runoff as part of green infrastructure. LID emphasizes conservation and use of on-site natural features to protect water quality.

Passive House: A environmental building certification from PHIUS.

Square Feet: The gross square footage being constructed or renovated as listed on the building permit. For parking project, the square footage is the amount of impervious surface used to calculate the stormwater regulations.

Sustainable Vegetation: Plantings and landscaping that include native species to the maximum extent possible and selected to survive with minimal resource inputs (fertilizers, watering, etc.) and management (mowing, weeding, etc.).”

Section 99. This Ordinance shall take effect as provided by City Charter.

In City Council October 28, 2021

Referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

ATTEST:

ILENE SIMONS
CITY CLERK

(2) WASTE REDUCTION

All occupied city-owned or leased buildings shall be equipped with recycling and composting bins to encourage and incentivize waste reduction. All parks or other City owned properties that have a waste receptacle shall also have a recycling bin. The City shall continue to work to reduce recycling contamination rates through education and shall also continue to encourage “carry in/carry out” practices to reduce waste in parks.

SEC. 12.253 GREEN MUNICIPAL TRANSPORTATION

(1) CLEAN TRANSPORTATION ALTERNATIVES

The EPPP shall include standards for City-owned vehicles that shift the City’s fleet to all electric and/or hybrid modes of transportation. Heavy duty vehicles and emergency vehicles shall also be transitioned to a higher efficiency and non-polluting fleet as technologically feasible. The City’s municipal light-duty fleet shall be 100% zero-emissions by 2030, as technologically feasible, and the remaining fleet as technologically and financially available

(2) ELECTRIC VEHICLE CHARGING STATIONS

All new city-owned buildings and new or renovations of parking lots with more than 25 parking spaces shall include electrical vehicle charging stations to encourage use of lower-emission vehicular transportation.

(3) BICYCLE PARKING

All new construction and major renovations at city-owned buildings, parks, and other public properties shall include bicycle parking.

SEC. 12-254 APPROVALS AND WAIVERS

For all City projects subject to any provision of this Ordinance, the Purchasing Agent shall certify such compliance.

For projects between \$100,000 and \$999,999 seeking a waiver from any provision of this Ordinance, the Purchasing Agent, in consultation with applicable Departments, shall provide such waiver.

For projects over \$1,000,000 seeking a waiver from any provision of this Ordinance, the Department responsible for the project shall present the project to the Sustainability, Energy, and Resiliency Committee, which shall approve, approve with conditions, or reject said waiver.

SEC. 12.255 DEFINITIONS

For the purpose of this Ordinance, unless the context requires otherwise, the following terms shall have the following meanings:

Addition: Any portion added to an existing building.

Best Management Practices (BMPs): Regarding stormwater, BMPs means schedules of activities, practices (and policies), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters. BMPs also include the treatment requirements, operating procedures, and practices to control plant site



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 28, 2021

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to submit the enclosed Municipal Green Building Ordinance for the Council's review and adoption. As you may recall, in the summer of 2020 a draft green building ordinance was submitted to the Council by Councillor Riccardi and members of SERC. That ordinance covered a wide variety of policy areas, and after review and discussions with community members, City staff, SERC members and outside experts with the Metropolitan Area Planning Council (MAPC), a determination was made that the most thoughtful and appropriate path forward would be to divide up the areas within the Ordinance into several individual measures that could be advanced separately.

There are two advantages to this approach. First, it allows for us to achieve energy goals more immediately on the "low-hanging fruit" components, while more complex components of the plan may still be working through the deliberative process. Second, it will also allow the City to advance our own local policy work in better alignment with the Commonwealth's forthcoming regulations from the adoption of the Next Generation Roadmap for Massachusetts Climate Policy act, which was passed earlier this year in March and will require the Commonwealth to develop a net zero stretch energy code that municipalities will be able to adopt locally.

Thanks to a grant from MAPC, the City's Sustainability and Resiliency Department was able to retain the assistance of Harvard Bloomberg Fellow Emma Bird to advance the work of separating the overall measure into three separate packages. The enclosed Municipal Green Building Ordinance is the first of those packages.

This measure was written to be in coordination with and reflective of our goals and targets as described in the *Resilient Together* regional climate action plan. The enclosed Ordinance establishes minimum energy and green certifications required for future City buildings and

renovation, creates a green procurement policy for the City, and sets targets and standards for the continual transition of our municipal vehicle fleet to electric and other low-emission vehicles.

Subsequent filings will consist of additions to the Zoning code, including a net-zero energy plan provision, which will add energy standards to the site plan review process, and a green transportation provision, which will create bicycle parking and electric vehicle charging station standards for private projects.

Concurrent to these ordinances, staff from the Sustainability and Planning Departments are working with MAPC on additional actions related to green building polices, including education and community outreach.

These policies are just one part of the City's overall coordinated efforts on sustainability and resiliency. *Resilient Together* serves as an overarching framework guiding those efforts. In the coming months the City Council can expect to see additional measures that are an outgrowth of this important work. These include a Solar Energy System Ordinance, to manage and regulate potential large-scale solar energy developments in a thoughtful and transparent manner and the forthcoming Wetlands Ordinance, which has been developed after months of careful and intentional review and work by a large coalition of community members and stakeholders. From a regulatory standpoint there will also be wetlands related Conservation Commission rules and a new set of updated subdivision regulations for the Planning Board, which strengthen low impact development standards.

The Municipal Green Building Ordinance is a major step toward our climate goals and reducing our local contributions to climate change. What is more, it builds on our community's past work through our municipal electrical aggregation program, the conversion of our streetlights to LED fixtures, the installation of rooftop solar on city buildings, and recent change over of our nearly 200 municipal electrical accounts to renewable energy sources. This Ordinance further demonstrates that Salem is proactive when it comes to the climate crisis, not only with our words, but with actions, as well.

I strongly recommend adoption of the enclosed Ordinance and welcome the opportunity to discuss it with you in greater detail should you wish to refer it to committee for further review. If you have additional questions, I encourage you to reach out to our Director of Sustainability, Jenna Ide, or Planning Director Tom Daniel at your convenience.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem