

DRAFT

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

ORDINANCE NO.

ORDINANCE TO AMEND THE RENO MUNICIPAL CODE TITLE 14, ENTITLED “BUILDINGS AND CONSTRUCTION” AND ADDING A NEW CHAPTER 14.30 REQUIRING BUILDINGS TO ANNUALLY BENCHMARK ENERGY AND WATER CONSUMPTION AND PROVIDES FOR BUILDING PERFORMANCE METRICS AND REQUIREMENTS TO INCREASE BUILDING PERFORMANCE; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

SPONSORED BY:

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. Title 14, of the Reno Municipal Code is hereby modified by adding a new Chapter 14.30 entitled “Energy and Water Efficiency Program”, to read as follows:

Section 14.30.001. Findings.

- (1) On September 9, 2015, The City of Reno committed to take action to reduce greenhouse gas emissions 28 percent by 2025 and 40 percent by 2030 to combat climate change and move to a low emission, resilient society through its commitment to the Global Covenant of Mayors on Energy and Climate. Furthermore, the City of Reno committed to report emissions reductions regularly to track progress toward its emissions reduction targets.
- (2) The City of Reno 2014 community-wide greenhouse gas emissions inventory reports that buildings are the single largest users of energy and generate 66 percent of greenhouse gas emissions.
- (3) Collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and building owners to understand the energy performance of buildings relative to similar buildings nationwide, and equipped with this information are able to make smarter,

more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

- (4) The City of Reno, City Council, approved the use of Building Energy Benchmarking - a process of measuring building energy use, tracking use over time, and comparing performance to similar buildings - to promote public health, safety, and welfare by making available good, actionable information on building energy use to help identify opportunities to reduce energy use, generate cost savings, and reduce climate pollution.
- (5) The City of Reno will use the data collected to inform development of programs to expand or enhance workforce development, incentives, education and training, and technical resources that remove barriers to the energy efficiency market, create jobs, conserve energy and water, and lower building operational costs.
- (6) The City of Reno, City Council, will establish a procedure and guideline to conduct such Building Energy Benchmarking.

Section 14.30.002. Purpose and Intent.

This chapter establishes the Energy and Water Efficiency Program that requires covered properties to benchmark energy and water performance, and make such performance information available to raise awareness and drive action. Further, it requires buildings that do not meet specific standards to perform an action or actions to increase performance. The benchmarking requirement supports the City of Reno's goal to reduce greenhouse gas emissions in buildings 28 percent by 2025. Annual benchmarking, reporting and disclosure of building performance are foundational elements of removing market barriers for energy efficiency. This will allow the city to track energy and water use and progress toward reduction goals to inform development of new programs and resources needed to support each market sector.

Section 14.30.003. Scope.

This Chapter shall apply to existing residential and non-residential properties, including:

- (a) Covered city properties that:
 - (1) Are owned, leased, and occupied by the City of Reno such that the City regularly pays all or part of the annual energy and/or water bills; and
 - (2) Have a total gross floor area that equals or exceeds 10,000 square feet; and
 - (3) All fire stations.
- (b) Covered local agency properties that:
 - (1) Are owned by a local agency of the state, or political subdivision of the state, or other public entity and are not covered city properties; and
 - (2) Have a total gross floor area that equals or exceeds 30,000 square feet; and

- (3) Where the local agency of the state occupies and regularly pays all or part of the annual energy and/or water bills of the property.
- (c) Covered private properties, other than covered city and covered local agency properties, that have a total gross floor area that equals or exceeds 30,000 square feet.

Covered properties does not include:

- (a) Single family, duplex, triplex and fourplex residential homes and related accessory structures, or any other residential building with less than 5 units;
- (b) Properties owned or operated by a local agency of the state and subject to NRS 701.218;
- (c) Buildings classified as industrial per designated Standard Industrial Classification (SIC) codes 20 through 39;
- (d) Buildings classified as being used primarily for agricultural purposes, per designated Standard Industrial Classification (SIC) codes 01 through 09;
- (e) Other building types not meeting the purpose of this Chapter, as determined by the Manager.

Section 14.30.004. Definitions.

Aggregated, whole-building data means energy or water data that has been summed for an entire property, which may include a single occupant or a group of separately metered tenants.

Anonymized data means data that does not reveal names, addresses or any other information that would identify an individual or business.

Audit means a systematic evaluation process to identify modifications and improvements of the base building systems, including but not limited to alterations of such systems and the installation of new equipment, insulation or other generally recognized energy and water efficiency technologies to optimize energy and water use performance of the building and achieve energy and water savings, that is performed in accordance with industry standard practices.

Audit report means the final document produced by the qualified auditor including but not limited to:

- (a) The summary audit report;
- (b) Functional performance testing reports;
- (c) An assessment of how the major energy and water consuming equipment and systems used within tenant spaces impact the energy and water consumption of the base building systems based on a representative sample of spaces as determined by the Manager; and
- (d) Narratives, photographs and any additional explanatory information as required to describe the results of the audit.

Base building systems means the systems or subsystems of a building that use or distribute energy and/or water and/or impact energy and/or water consumption, including:

- (a) The building envelope;
- (b) The heating, ventilating, and air conditioning (HVAC) systems;
- (c) Conveying systems;
- (d) Electrical and lighting systems;
- (e) On-site generation systems;
- (f) Domestic hot water systems;
- (g) Water distribution systems;
- (h) Plumbing fixtures and other water-using equipment; and
- (i) Landscape irrigation systems and water features, including fountains.

The term does not include:

- (a) Systems or subsystems owned by tenants, condominium unit owners or cooperative unit shareholders, or a system or subsystems for which such entities bear full maintenance responsibility, that are within such entities' leased or owned space, and for which such entity pays all the energy bills according to usage and demand as measured by a meter or sub-meter;
- (b) Systems or subsystems that operate industrial applications or processes.

Baseline year means, for any individual property, the latter of a) the first calendar year such property is required to benchmark or b) the calendar year containing the date five years prior to due date of the property's next performance verification.

Benchmarking means to input and submit the total energy and water consumed for a property for the previous calendar year and other descriptive information for such property as required by the benchmarking tool. Total energy and water consumption shall not include separately metered uses that are not integral to building operations, as determined by the Manager.

Benchmarking submission means a subset of:

- (a) Information input into the benchmarking tool; and
- (b) Benchmarking information generated by the benchmarking tool, as determined by the Manager.

Benchmarking Tool means ENERGY STAR Portfolio Manager.

Code Compliance Officer means a designated professional with code enforcement duties.

Condominium means a property that combines separate ownership of individual units with common ownership of other elements such as common areas.

Covered Property means the buildings described in Section 14.30.003 (a), (b), and (c).

Department means the Sustainability and Climate Division of the City Manager's Office.

Energy means electricity, natural gas, steam, or other product sold by a utility to a customer of a property, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses as recorded in the benchmarking tool.

Energy Audit means a systematic evaluation to identify potential modifications and improvements to a building's equipment and systems that utilize energy in order to optimize the building's performance.

ENERGY STAR Portfolio Manager means the tool developed and maintained by the U.S. Environmental Protection Agency to track and assess the relative energy performance of buildings.

ENERGY STAR Score means the 1-100 numeric rating generated by the ENERGY STAR Portfolio Manager tool as a measurement of a building's energy efficiency.

Gross floor area means the total property area, measured between the outside surface of the exterior walls of the building(s). This includes all areas inside the building(s) including but not limited to lobbies, tenant areas, common areas, meeting rooms, break rooms, atriums (count the base level only), restrooms, elevator shafts, stairwells, mechanical equipment areas, basements, and storage rooms

Manager means the manager of the Department.

Owner means any of the following:

- (a) An individual or entity possessing title to a property;
- (b) The net lessee in the case of a property subject to a triple net lease with a single tenant;
- (c) The board of the owners' association, in the case of a condominium;
- (d) The master association, in the case of a condominium where the powers of an owners' association are exercised by or delegated to a master association;
- (e) The board of directors, in the case of a cooperative apartment corporation; or
- (f) An agent authorized to act on behalf of any of the above.

Qualified auditor means an individual who is not on the staff of the property being audited and possesses such qualifications as determined by the Manager to perform or directly supervise individuals performing energy and water audits, and to certify audit reports required by this ordinance. The qualified auditor can be an employee or contractor hired by the reporting entity, an employee of a utility, or a third-party service provider who has two or more years of auditing experience and possesses one or more of the following certifications:

- (a) An accredited certification that has been designated a “Better Buildings Recognized Program” by the U.S. Department of Energy meeting the criteria set forth in the Better Buildings Workforce Guidelines (BBWG) for Building Energy Auditors or Energy Managers; or
- (b) A Professional Engineer (PE) registered in the State of Nevada; or
- (c) Certified Energy Auditor (CEA) or Certified Energy Manager (CEM), issued by the Association of Energy Engineers (AEE); or
- (d) Certified Facilities Manager (CFM), issued by the International Facility Management Association (IFMA); or
- (e) System Maintenance Administrator (SMA) or System Maintenance Technician (SMT), issued by Building Owners and Managers Institute (BOMI) International; or
- (f) High Performance Building Design Professional (HBPD) or Building Energy Assessment Professional (BEAP), issued by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE); or
- (g) For audits of multifamily residential buildings only, a Multifamily Building Analyst (MFBA), issued by the Building Performance Institute (BPI); or
- (h) Additional qualified certifications as the Manager deems appropriate.

Retuning means a systematic process for optimizing building performance through the assessment, identification and correction of deficiencies in existing base building systems, including but not limited to repairs of defects, cleaning, adjustments of valves, sensors, controls or programmed set points, and/or changes in operational practices.

Retuning report means the report produced by the retuning professional and provided to the building owner, including but not limited to:

- (a) Summary retuning report;
- (b) Energy end use breakdown;
- (c) Water end use breakdown;
- (d) Functional performance testing reports; and
- (e) Operational training conducted.

Tenant means a person or entity occupying or holding possession of a building, part of a building or premises pursuant to a rental or lease agreement.

Utility means an entity that distributes and/or sells natural gas, electric, water, or thermal energy services for buildings.

Water Audit means that part of an audit that addresses the water systems.

Section 14.30.005 Exemptions.

- (a) An exemption may be granted for the current reporting year, or other term as defined, at the discretion of the Manager or an appointed Code Compliance Officer if one of the following conditions exist:
- (1) A new building built under the currently adopted International Energy Conservation Code, a building with a LEED (Leadership in Energy and Environmental Design) certification, a building with a National Green Building Standard Multifamily Building certification, or a low-income, multifamily housing building with an Enterprise Green Communities certification, and, in the case of a certified green building, the certification applies to the whole building for new construction and modification of more than 50 percent of the building gross floor area for a major renovation, is exempt from the requirements of this Chapter for a period of:
 - a. Three years from the date of the issuance of the green building certification; or
 - b. Six years from the date of the issuance of the green building certification if the building Owner supplies a retuning report during the first 3-year period.
 - (2) A building with a Net-Zero Energy certification from the International Living Future Institute, or other qualified certification program as required by the Manager;
 - (3) The building is unoccupied which means there is less than one full-time equivalent occupant over the last calendar year;
 - (4) The building is presently experiencing qualifying financial distress, as defined by any of the following:
 - a. It is the subject of a qualified tax lien sale or public auction due to property tax arrearages; or
 - b. It is controlled by a court appointed receiver; or
 - c. The building has been acquired by a deed in lieu of foreclosure;
 - (5) Publishing of data will result in the release of proprietary information. To qualify for this exemption, the Owner shall specifically identify the data or information it believes is confidential as per Nevada Revised Statute 239.010 or other applicable local, state, or federal law, or provides a written statement describing the manner in which public disclosure would cause substantial harm to the Owner's competitive position;
 - (6) A building for which a demolition permit for the entire building has been issued and for which demolition work has commenced on or before the date the benchmarking report is due;
 - (7) A building that had an average physical occupancy of less than 60 percent throughout the calendar year for which benchmarking is required;
 - (8) More than 50 percent of gross floor area is used for residential purposes and:

- a. More than four meters are associated with the property;
 - b. The owner does not have access to means to obtain aggregated, whole-building data through the utility or a tenant where applicable;
 - c. The serving electric utility does not provide access to aggregated whole-building data. Once such services are available from the utility, as determined by the Manager, such properties will no longer be exempt from benchmarking requirements, and shall file initial benchmarking reports in the first required reporting year following such data availability;
- (9) Subsections 14.30.005(7) a. through c. apply and access to accurate data is reliant on tenant information or cooperation and the tenant cannot or will not provide the data. To claim this exemption, a written statement from the Owner is required along with sufficient evidence to support the exemption.

Section 14.30.006. Benchmarking Reporting

- (a) The owner of each covered property shall collect and input all data needed to benchmark the entire property into the benchmarking tool. Whole-building data for the property's energy and water use shall be compiled using one or more of the following methods:
 - (1) Obtaining aggregated whole-building data from a utility company
 - (2) Collecting data from all tenants
 - (3) Reading a master meter
- (b) The owner of each covered property shall enter data into the benchmarking tool such that the energy and water benchmarking report shall be based on an assessment of the aggregated total energy and water consumed by the whole property for the entire calendar year being reported.
- (c) Before submitting a benchmarking report the owner shall run all automated data quality checker functions available within the benchmarking tool, and shall verify that all data has been accurately entered into the tool and correct any errors prior to submitting the benchmarking report to the Manager. Where the current owner learns that any information reported as part of the benchmarking submission is inaccurate or incomplete, the owner shall amend the information so reported, and shall provide the Manager with an updated benchmarking submission within 60 days of learning of the inaccuracy.
- (e) An owner may apply for a time extension to complete and submit a benchmarking report if despite such owner's good faith efforts and was denied an exemption, the owner is unable to complete the required actions prior to the scheduled due date for such submission due to the failure of either a utility provider or a tenant (or both) to provide the owner with information needed to complete this report. For each property, the Manager may grant up to two such extensions per year of 45 days each.

- (f) Nothing in this Chapter shall be construed to permit a property owner to use tenant utility usage data for purposes other than compliance with benchmarking report requirements, nor shall the reporting requirements be construed to excuse property owners from compliance with federal or state laws governing tenant utility data.

Section 14.30.007. Benchmarking Schedule

- (a) The owner of a covered property shall ensure that for each such property a benchmarking report is generated, completed and submitted to the Manager annually.
- (b) The benchmarking reports for each covered property shall be due by the dates as defined in the following table:

<u>Covered Property</u>	<u>First Reporting Date</u>	<u>First Calendar Year Data Reported</u>	<u>Subsequent Annual Reporting Due Date</u>
<u>Mandatory Public sector properties ≥ 10k sq. ft.</u>	<u>Apr 1, 2019</u>	<u>2018</u>	<u>April 1</u>
<u>Agency Properties and Private sector properties ≥ 100k sq. ft.</u>	<u>Apr. 1, 2020</u>	<u>2019</u>	<u>April 1</u>
<u>Agency Properties and Private sector properties ≥ 50k sq. ft.</u>	<u>Apr. 1, 2021</u>	<u>2020</u>	<u>April 1</u>
<u>Agency Properties and Private sector properties ≥ 30k sq. ft.</u>	<u>Apr. 1, 2022</u>	<u>2021</u>	<u>April 1</u>

Section 14.30.008. Self Reporting

- (a) For every building subject to this Chapter, the building Owner shall annually submit to the Department in an electronic format as established by the Manager, an energy and water benchmarking report. The energy and water benchmarking report shall be based on an assessment in the benchmarking tool of the total energy and water consumed by the whole building for the entire calendar year and include:
- (1) Individual or entity responsible for benchmarking submission;
 - (2) Property Address;
 - (3) Primary Use;
 - (4) Gross Floor Area;

- (5) The weather normalized site and source energy use intensity (EUI) per KBTU per square foot;
 - (6) The ENERGY STAR score for the building, if applicable;
 - (7) Total water use per gross square foot;
 - (8) Indoor water use, if applicable;
 - (9) Outdoor water use, if applicable; and
 - (10) Total annual greenhouse gas emissions.
- (b) An owner may submit additional optional data, of Owner's choosing, which may be used in case studies, reports, or for recognition purposes. Optional data may include:
- (1) How many years the building has received an ENERGY STAR certification;
 - (2) Other certifications the building has achieved;
 - (3) Other energy use trend statistics the Owner feels play a role in the building performance.

Section 14.30.009. Data Availability.

- (a) The Department shall make available on its website, and update at least annually, statistics on energy and water consumption derived from the benchmarking information listed in Section 14.30.008. Proper citation of applicable local, state, or federal law is required for any information the owner requests be confidential.
- (b) With a covered property owner's written or electronic permission, the Manager may provide non-anonymized data from Section 14.30.008 or submissions under Section 14.30.012 to any utility serving a covered property or to any federal, state, county or city-managed energy and/or water efficiency or management program, provided that the data will be used solely for purposes of offering programs, services, and incentives related to energy and water efficiency and management. Where the property owner's permission can be granted electronically through acceptance of a default option, the city shall provide a clearly delineated option for owners of covered properties to choose to opt out of granting this permission.
- (c) The Manager may disclose any anonymized data from Section 14.30.008 or submissions under Section 14.30.012 to a third party for academic or other non-commercial research purposes.
- (d) The Manager may make available on a publicly accessible website a report on the progress of performance for all covered properties, including but not limited to, compliance rates, trends observed, correlations of benchmarking scores and audit recommendations, correlations of benchmarking scores and retuning measures completed, the impact of audits and retuning on EUIs and ENERGY STAR scores, and recommendations on how the uptake

of energy conservation measures could be increased or the implementation of audits and retuning could be improved.

- (e) Nothing in this Chapter shall prevent the Manager from including all such information in a combined annual energy and water efficiency report covering the progress of all of the city’s energy efficiency ordinances and programs.

Section 14.30.010. Building Performance Goals.

- (a) Every five years each covered property shall submit performance goal verification documentation demonstrating that it has either achieved the performance targets defined under Section 14.30.011, or has completed any of the efficiency actions defined under Section 14.30.012.
- (b) The performance verification schedule for each covered property shall be due by the dates as defined in the following table:

<u>Covered Property</u>	<u>First Reporting Date</u>
<u>Mandatory Public sector properties ≥ 10k sq. ft.</u>	<u>2024 and every five years there-after</u>
<u>Agency Properties and Private sector properties ≥ 100k sq. ft.</u>	<u>2025 and every five years there-after</u>
<u>Agency Properties and Private sector properties ≥ 50k sq. ft.</u>	<u>2026 and every five years there-after</u>
<u>Agency Properties and Private sector properties ≥ 30k sq. ft.</u>	<u>2027 and every five years there-after</u>

- (c) No performance goal verification shall be required for a covered property for its current five-year reporting cycle if a qualified service professional submits documentation with the department, in such form and with such certifications as required by the Manager, establishing that the property has met one of the following conditions:
 - (1) The property is exempt from benchmarking requirements per the provisions of Section 14.30.005.
 - (2) The initial Certificate of Occupancy for the property was issued less than five years prior to the date when the first performance verification would otherwise be due.
 - (3) The property has undergone substantial rehabilitation, as certified by a registered design professional, within the five year period prior to the calendar year in which a performance verification is due, such that at the commencement of such calendar year

all of the base building systems of such property are in compliance with the current International Energy Efficiency Code.

- (d) No covered property shall be required to complete and submit performance goal verification documentation until five years after such property was first required to file a benchmarking report.

Section 14.30.011. Performance Targets.

- (a) To fulfill the performance targets, the owner of a covered property shall ensure that a qualified service professional verifies and the owner submits documentation with the department, in such form and with such certifications as required by the Manager, verifying that the property has achieved one or more of the following energy targets and one or more of the following water targets for at least two of the five years following the baseline year:

(1) Energy targets:

- a. The property received an ENERGY STAR score of 50 or higher.
- b. The property's energy use intensity (EUI) was equivalent to or better than the performance of 50 percent of all covered properties of its type.
- c. The property achieved an ENERGY STAR score at least 15 points higher than the score it received during its baseline year.
- d. The property's weather normalized source energy use intensity was reduced by at least 10 percent relative to its performance in the baseline year.

(2) Water targets:

- a. The property received an ENERGY STAR water score of 50 or higher.
- b. The property's water use intensity (WUI) was equivalent to or better than the performance of 50 percent of all covered properties of its type.
- c. The property achieved an ENERGY STAR water score at least 15 points higher than the score it received during its baseline year.
- e. The property's water use intensity was reduced by at least 10 percent relative to its performance in the baseline year.

- (3) A covered property that does not achieve at least one of the energy performance targets shall complete one of the measures listed in Section 14.30.012.

- (4) A covered property that does not achieve at least one of the water performance targets shall complete one of the measures listed in Section 14.30.012.

Section 14.30.012. Efficiency Pathway.

- (a) The Owner of a covered property may fulfill both energy and water requirements under the this section by ensuring that a qualified service professional verifies and the owner submits

documentation with the Department, in such form and with such certifications as required by the Manager, verifying one or more of the following:

- (1) The property has completed retuning or an energy and water audit, within three years prior to the due date for filing of the property's performance verification documentation. Energy and water audits shall be performed by or under the direct supervision of a qualified auditor. Retuning shall be performed by or under the supervision of a qualified retuning professional.
 - (2) The property has received certification under LEED for Existing Buildings 2009 version or later, the LEED Operation and Maintenance: Existing Buildings Version 4 rating system published by the USGBC, or other comparable rating system for existing buildings, as determined by the Director, within three years prior to the due date for filing of the property's performance verification documentation and has earned the LEED point for Existing Building Commissioning investigation and analysis and the LEED point for Existing Building Commissioning implementation.
 - (3) The property has participated in and successfully completed an approved utility retuning incentive program within the three years preceding the due date for filing of the property's performance verification documentation.
 - (4) The property has completed a full retuning procedure within the three years preceding the due date for filing of the property's performance verification, with documentation that the property's performance was optimized.
- (b) The owner of a covered property may fulfill the energy requirements under this section by ensuring that a qualified service professional, where applicable, verifies and the owner submits documentation with the Department, in such form and with such certifications as required by the Manager, verifying one or more of the following:
- (1) The property has completed retuning or an energy audit, within three years prior to the due date for filing of the property's performance verification documentation. Energy audits shall be performed by or under the direct supervision of a qualified auditor. Retuning shall be performed by or under the supervision of a qualified retuning professional;
 - (2) The property performs continuous commissioning of its electrical and mechanical systems;
 - (3) The property has received a Net-Zero Energy certification from the International Living Future Institute, or other qualified certification program as required by the Manager, at any time during the years following the baseline year;
 - (4) The property does not have a central cooling system and any three of the following measures were completed at any time during the years following the baseline year. A

report, certified by a qualified service professional, detailing the measures performed is required:

- a. Common area exterior lighting;
 - b. Pipe insulation of all exposed pipes;
 - c. A cool roof has been installed;
 - d. The property owner is participating in a demand response program;
 - e. A solar water heating system has been installed;
 - f. A new domestic hot water heater has been installed in accordance with currently adopted codes.
- (5) The facility staff member, with the primary duty of property operations and maintenance, attended not less than three (3) locally offered trainings or professional certification programs in energy conservation or energy code compliance in the past three years. A certificate or record of attendance must be provided.
- (c) The owner of a covered property may fulfill the water requirements under this section by ensuring that a qualified professional, where applicable, verifies and the owner submits documentation with the department, in such form and with such certifications as required by the Manager, verifying one or more of the following:
- (1) The property has completed retuning or a water audit, within two years prior to the due date for filing of the property's performance verification documentation.
 - (2) A licensed engineer or architect certifies that the building's water use conforms to the requirements of the currently adopted code in effect at any time during the five-year compliance cycle being reported.
 - (3) The facility staff member, with the primary duty of property operations and maintenance, attended not less than two (2) locally offered trainings or certification programs in water conservation in the past three years. A certificate or record of attendance must be provided.
 - (4) The property has participated in and successfully completed an approved utility water conservation program within the three years preceding the due date for filing of the property's performance verification documentation.
 - (5) The property does not have a central cooling system and one of the following measures were completed within the five years following the baseline year. A report, certified by a qualified professional, detailing the measures performed is required.
 - a. Low flow faucets and shower heads. All faucets and showerheads within the property have been replaced and meet the codes in effect at any time during the five-year compliance cycle being reported;

- b. Washing machines. Front loading clothes washing machines have been installed in all common laundry facilities;
- c. Water closets and urinals. All water closets and urinals within the property have been replaced and meet codes in effect at any time during the five-year compliance cycle being reported.

Section 14.30.013. Maintenance of Records.

- (a) Owners shall maintain records as the Manager determines is necessary for carrying out the purposes of this ordinance, including but not limited to the energy and water bills and reports or forms received from tenants and/or utilities. Such records shall be preserved for a period of five years.
- (b) When a covered property is sold, the records shall be given to the new property owner and the online benchmarking records shall be transferred to the new owner.
- (c) The City of Reno reserves the right to spot check records as it deems necessary to evaluate the efficacy of this Ordinance.

Section 14.30.014. Compliance.

- (a) If the Manager determines that a property owner has not reported the information under Section 14.30.007 or Section 14.30.010 as required under this ordinance, or the owner has submitted incomplete or false benchmarking information, the Manager may seek the following remedies:
 - (1) A written notice may be issued for the violation; and
 - (2) If the information is not reported within 30 days of the date the written notice is issued, the Manager may issue a notice of violation with a penalty of up to \$100.
 - (3) If the information is not reported within 30 days of the date the first violation is issued, the Manager may issue a notice of violation with a penalty of up to \$250.
 - (4) If the information is not reported within 30 days of the date the second violation is issued, the Manager may issue a notice of violation with a penalty of up to \$500.

SECTION 2: Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

SECTION 4. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 5. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, ____, by the following vote of the Council:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED this ____ day of _____, ____.

MAYOR OF THE CITY OF RENO

ATTEST:

CITY CLERK AND CLERK OF THE CITY
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE: