

ZERO ENERGY TOWN BUILDING BYLAW – THE MOTION

Text in **boldface** and ~~striketrough~~ are amendments to the article that appears in the warrant.

I move to amend the Town of Amherst General By-Laws by adding the following new by-law:

ZERO-ENERGY TOWN BUILDINGS

1. Definitions: For purposes of this Bylaw:
 - a. 'Town of Amherst Buildings and Building Additions' shall mean all new buildings and new building additions built by and for the Town of Amherst and its subsidiary agencies, including but not limited to ~~the Jones Library Inc.~~ and the Amherst School Committee.
 - b. 'On-Site Renewable Energy Systems' shall mean photovoltaic or wind-energy systems serving the same electric meter that is used by the subject building(s) or addition(s).
 - i. **Clarification: For purposes of this Bylaw, Renewable Energy Systems not on the project site and/or not on the same electric meter as the subject building(s) or addition(s) may be used if insufficient solar or wind exposure is available on the project site, subject to the following conditions:**
 1. **For Renewable Energy Systems purchased directly, such systems shall be funded as part of the construction budget.**
 2. **Such Renewable Energy Systems shall be dedicated exclusively to the subject project, and the energy generated shall be metered independently.**
2. Zero Energy Requirements: All Town of Amherst Buildings and Building Additions shall be designed and constructed to meet Zero Energy requirements, which are defined as follows:
 - a. No burning of fossil fuels shall take place on the site.
 - i. **Exception: Emergency power generators powered by fossil fuels may be used.**
 - b. On-site Renewable Energy Systems shall supply ~~as much or more~~ **at least as much energy**, on an annual basis, ~~than as~~ as is used by the building for heating, cooling, ventilation, domestic hot water, lighting, plug loads, food preparation, refrigeration and all other building systems that require energy for operation.
 - c. The building and its systems shall be conceived, planned, designed, engineered, constructed and commissioned collaboratively such that all systems work in consort to achieve the Zero Energy standards described in the previous items.
 - d. Exceptions:
 - i. Projects for which construction documents (plans and specifications sufficient for competitive public bidding) are complete within 4 months of the passage of this bylaw by Town Meeting.
 - ii. Projects with a total project cost less than \$1,000,000.
 - iii. Projects which are renovations to existing buildings.
 1. **Clarification: For projects which combine renovation of existing buildings and new construction, sub-metering shall be provided to enable separate determination of energy use by existing building(s) and by new construction.**
 - e. Determination of compliance with the requirements of this Bylaw:
 - i. Compliance shall be determined by actual measured performance over a 12-month period of occupancy, which 12-month period shall begin within 12 months of initial occupancy.
 - ii. **Failure to Comply:** The administrator of a building or addition that is non-compliant after 12 months shall continue to work toward compliance every year until it is compliant, and shall report the results publicly and to the Town Manager.

f. Clarifications:

- i. The Town may accept payments for renewable energy credits without jeopardizing Zero Energy status under this Bylaw.
- ii. Compliance shall be measured by Site Energy, not Source Energy
- iii. **Renewable energy systems may be obtained through direct purchase or through leasing or power purchase agreements with third party private entities.**
- iv. **Vehicles powered by fossil fuels may be allowed on the site.**