

Ordinance No. 120538

Council Bill No. 113835

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to the City's low-income energy conservation programs; adopting a low-income multifamily energy conservation program; clarifying program requirements; eliminating programs that no longer are used or useful; and amending Seattle Municipal Code Chapter 21.52 in connection therewith.

CF No. _____

Date Introduced: <u>SEP 17 2001</u>		
Date 1st Referred: <u>SEP 17 2001</u>	To: (committee)	<u>Energy & Environmental Policy Committee</u>
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>9-24-01</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>9-25-01</u>	Date Approved: <u>9/28/01</u>	
Date Returned to City Clerk: <u>10/2/01</u>	Date Published: <u>14 pp</u>	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

9/20
9-24-01 Pass

This file is complete and ready

LAW DEPARTMENT

Law Dept. Review

Council Bill/Ordinance sponsored by: _____

Councilmember

Committee Action:

9/20 PASSED 9-0 HW, RC

9-24-01 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(Initial/Date)

LAW DEPARTMENT

Law Dept. Review

OMP
Review



City Clerk
Review

Electronic Copy Loaded
9/24/01
[Signature]

Electronic
Copy Loaded

Indexed

ORDINANCE 120538

1
2
3
4 AN ORDINANCE relating to the City's low-income energy conservation programs;
5 adopting a low-income multifamily energy conservation program; clarifying
6 program requirements; eliminating programs that no longer are used or useful; and
7 amending Seattle Municipal Code Chapter 21.52 in connection therewith.
8

9 WHEREAS, the dramatic rise in wholesale energy costs has meant substantially higher costs
10 for the City Light Department and significant rate increases for its customers,
11 including low-income customers and housing providers serving those customers; and
12

13 WHEREAS, the City desires to encourage conservation of electric energy in multifamily
14 buildings occupied predominantly by low-income residents, reduce energy costs, and
15 address the energy conservation needs of low-income tenants and housing providers;
16 and
17

18 WHEREAS, income eligibility standards should be set at a level that encourages
19 participation in a low-income multifamily energy conservation program by owners
20 of existing buildings that provide housing for low-income residents; and
21

22 WHEREAS, a low-income multifamily energy conservation program should require
23 participating building owners to agree to limit rents to ensure that low-income
24 energy conservation funds are invested in buildings that will continue to serve low-
25 income residents for a substantial period of time; and
26

27 WHEREAS, the requirements of other City low-income energy conservation programs
28 should be clarified; and
29

30 WHEREAS, certain existing City energy conservation programs no longer are used or
31 useful; **NOW THEREFORE,**
32

33 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**
34

35 Section 1. SCM Chapter 21.52, as last amended by Ordinance 120335, is hereby
36 amended to read as follows.

37 ~~((Subchapter I Conservation Investment Assistance Program~~
38 ~~SMC 21.52.010 Program established—Administration.~~

39 ~~The Superintendent of Lighting is authorized to establish a Conservation Investment~~
40 ~~Assistance Program; said program shall be administered in a manner to assist certain low-~~
41 ~~income Lighting Department customers who heat their own homes primarily with electric~~
42 ~~heat to insulate said homes; the Superintendent of Lighting will expend a maximum of Two~~

1 ~~Hundred Seven Thousand Dollars (\$207,000) to accomplish the goals of the Conservation~~
2 ~~Investment Assistance Program.~~

3 ~~**SMC 21.52.020 Eligibility — Low income elderly.**~~

4 ~~Eligibility for participation in the Conservation Investment Assistance Program shall be~~
5 ~~determined by the Human Services Department from verified applications and inspection of~~
6 ~~each home, and such qualifications shall be based on the following criteria for the following~~
7 ~~classes of low income persons:~~

8 ~~Low income Elderly.~~

9 ~~A. The head of household must own the home and must be sixty five(65) years of age or~~
10 ~~older; and~~

11 ~~B. Have a gross annual income of less than Five Thousand Six Hundred Seven Dollars~~
12 ~~(\$5,607), if single, or Seven Thousand Three Hundred Thirty one Dollars (\$7,331), if~~
13 ~~married; and~~

14 ~~C. Reside in the Seattle City Light service area, use the home solely for a residence and have~~
15 ~~permanently connected electrical heating facilities as the primary source of heat in the~~
16 ~~residence; and~~

17 ~~D. The residence of the recipient is without insulation or is equipped with below standard~~
18 ~~insulation.~~

19 ~~**SMC 21.52.030 Eligibility — Low income handicapped and others.**~~

20 ~~In the event the Superintendent of Lighting determines that there is a reasonable expectation~~
21 ~~of surplus funds remaining in the amount set forth in Sections 21.52.010 and 21.52.060,~~
22 ~~after actual and expected expenditures contemplated by Section 21.52.020, the following~~
23 ~~additional low income classes may be determined by the Superintendent, in sequential order,~~
24 ~~to be eligible for participation in the Conservation Investment Assistance Program.~~

25 ~~Eligibility for participation in the program shall be determined by the following criteria:~~

26 ~~A. Low income Handicapped.~~

27 ~~1. The head of household must own the home and be considered low income handicapped~~
28 ~~under criteria for the disabled and blind as promulgated by the federal government~~
29 ~~Supplemental Security Income Program; and~~

30 ~~2. Reside in the Seattle Lighting Department service area, use the home solely for residence~~
31 ~~and have permanently connected electrical heating facilities as the primary source of heat in~~
32 ~~the residence; and~~

1 ~~3. The residence of the recipient is without insulation or is equipped with below standard~~
2 ~~insulation.~~

3 **~~B. Other Low Income.~~**

4 ~~1. The head of household must own the home and be considered eligible under the low-~~
5 ~~income limits set forth for the City's Neighborhood Housing Rehabilitation Program; and~~

6 ~~2. Reside in the Seattle Lighting Department service area, use the home solely for a~~
7 ~~residence and have permanently connected electrical heating facilities as the primary source~~
8 ~~of heat in the residence; and~~

9 ~~3. The residence of the recipient is without insulation or is equipped with below standard~~
10 ~~insulation.~~

11 **~~SMC 21.52.040 Maximum payment.~~**

12 ~~Payments for insulation under the Conservation Investment Assistance Program shall not~~
13 ~~exceed Four Hundred Fifty Dollars (\$450.00) per household.~~

14 **~~SMC 21.52.050 Verification Inspection.~~**

15 ~~Certain expert and temporary services will be utilized to verify electrical and insulation~~
16 ~~requirements of applicants, establish the work requirements for each home insulated under~~
17 ~~the Conservation Investment Assistance Program, provide periodic inspections of insulation~~
18 ~~work in progress to validate performance and inspect completed work to insure contract~~
19 ~~compliance; such services, to be performed by personnel designated "Insulation Auditors,"~~
20 ~~will be performed by persons hired from the Washington State Employment Securities~~
21 ~~CETA rolls to the extent possible; in the event CETA personnel are not available, the~~
22 ~~Insulation Auditors' functions will be performed by Lighting Department or contract~~
23 ~~personnel. All CETA personnel will be trained to performed the functions of Insulation~~
24 ~~Auditors by Lighting Department personnel.~~

25 **~~SMC 21.52.060 Insulation priorities.~~**

26 ~~The criteria to be utilized in determining the insulation eligibility requirements and priority~~
27 ~~in installing insulation are as follows:~~

28 **~~Insulation Priorities~~**

29 **~~Priorities~~** _____ **~~Work to be Done~~**

30 **~~A. No ceiling insulation~~** _____ **~~Insulate to R-19.~~**

31 **~~or ceiling insulation less than R-11.~~**

32 **~~B. Ceiling insulation at~~** _____ **~~Floors insulated to R-11.~~**



1 least R-11, but no floor insulation in
2 Unheated crawl space.

3 C. Ceiling insulation less than R-19, _____ Ceiling will be brought up to R-19.
4 but more than R-11.

5 D. Ceiling insulation at or above R-19, _____ Floors insulated to R-11.
6 no floor insulation in unheated
7 crawl space.

8 **Subchapter II Miscellaneous Provisions**

9 **~~SMC 21.52.100 Insulation contracts with residential heat customers.~~**

10 ~~The Superintendent of Lighting is authorized to enter into contracts with residential heat~~
11 ~~customers of the City Light Department to provide for the supply and installation of attic~~
12 ~~and/or floor insulation by qualified contractors in a principal amount of not more than One~~
13 ~~Thousand Dollars (\$1,000), based on cost and conservation of electricity, on such~~
14 ~~installment terms and conditions, including payment of interest, as appropriate. In order to~~
15 ~~provide for the implementation of such contracts, the Superintendent of Lighting and the~~
16 ~~Director of Finance are authorized to determine contractors qualified to install attic and/or~~
17 ~~floor insulation based on appropriate criteria, including capability supply and install~~
18 ~~insulation of the type and on specified terms; compliance with applicable contractor's~~
19 ~~bonding and licensing requirements; a showing of adequate financial resources and~~
20 ~~insurance coverage; and necessary integrity, judgment and skill. Following audits by City~~
21 ~~Light Department personnel to determine insulation requirements, electric heat customers~~
22 ~~may select proposals from a qualified contractor or contractors, and upon review and~~
23 ~~approval thereof, the Superintendent of Lighting and the Director of Finance are authorized~~
24 ~~to enter into an installation contract with the contractor; and any provisions of Ordinance~~
25 ~~102151, as amended, to the extent inconsistent herewith, are hereby superseded.~~

26 **Subchapter III Comprehensive Residential Weatherization Program**

27 **~~SMC 21.52.200 Purpose.~~**

28 ~~The Comprehensive Residential Weatherization Program ("CRWP") is established by the~~
29 ~~ordinance codified in this subchapter for the purpose of encouraging the conservation of~~
30 ~~energy from all sources, reducing energy costs, and assuring a reliable supply of energy for~~
31 ~~the residents of Seattle and customers of the City Light Department.))~~



1 **SMC 21.52.210 Definitions.**

2 As used in this chapter, the following terms shall have the following meanings:

3 A. "Dwelling unit" means a room or rooms located within a building designed, arranged,
4 occupied, or intended to be occupied by not more than one (1) ~~((family))~~ household with or
5 without roomers and boarders as living accommodations independent from any other
6 ~~((family))~~ household. The existence of a food-preparation area within the room or rooms
7 shall be evidence of the existence of a dwelling unit.

8 B. "Electric heat" means permanently installed electric heat, which is the sole source of
9 space heating of the dwelling unit, or which is a partial source of space heating of the
10 dwelling unity, if at least thirty-five (35) percent of the reduction in energy consumption
11 would be electricity, as determined by The City of Seattle ("the City").

12 C. "Energy conservation" means reduction in energy consumption as a result of increases in
13 the efficiency of energy use. It includes weatherization and other measures such as
14 installation of more efficient lighting.

15 ~~((C. "Family" means any number of related persons; or not to exceed eight (8) nonrelated~~
16 ~~persons; or not to exceed a total of eight (8) related and nonrelated, nontransient persons~~
17 ~~living as a single nonprofit housekeeping unit, as distinguished from a group occupying a~~
18 ~~club, a boarding, lodging, or rooming house, or fraternity, sorority, or group student house.))~~

19 D. "Household: means ~~((any individual living alone, or persons living together in a dwelling~~
20 ~~unit))~~ one or more persons occupying a dwelling unit on a non-transient basis.

21 E. "Low-income" means:

22 1. For owner-occupied dwelling units: owner households at or below eighty (80) percent of
23 the Seattle-Bellevue-Everett Metropolitan Statistical Area median income adjusted for
24 household size as defined by the United States Department of Housing and Urban
25 Development;

26 2. For renter-occupied buildings ~~((of one through four dwelling units))~~: renter households at
27 or below sixty (60) percent of the Seattle-Bellevue-Everett Metropolitan Statistical Area
28 median income adjusted for household size as defined by the United States Department of
29 Housing and Urban Development.

30 ~~((F. "R value" means the measure of resistance to heat flow through a material, expressed in~~
31 ~~units of square feet times degrees Fahrenheit times hours per British thermal units ("BTU").~~
32 ~~It is equal in value to the reciprocal of the thermal conductance.~~

1 G)) F. "Superintendent" means the Superintendent of the City Light Department.

2 ((H)) G. "Weatherization" means the installation of energy conservation measures, resulting
3 in a reduction of heat loss (~~(, as described in Section 21.52.220)~~).

4 **SMC 21.52.220 Goals and policies.**

5 The low-income residential (~~((weatherization))~~) energy conservation goals and policies for the
6 City are:

7 ~~((A. To reduce energy costs and to assure a reliable energy supply for the residents of
8 Seattle and the customers of the City Light Department;~~

9 B)) A. To conserve energy from all sources;

10 ((C)) B. To ~~((provide economic assistance))~~ reduce the direct and indirect costs of energy to
11 ~~((the))~~ low-income persons;

12 ((D)) C. To implement residential ~~((weatherization))~~ energy conservation assistance
13 programs, in the form of grants or loans (~~(, in the following priority order by income and
14 heat source:))~~ for

15 ~~((1. All))~~ low-income households, with primary emphasis on electrically heated dwelling
16 units and secondary emphasis on dwelling units heated by natural gas or oil (

17 ~~2. All electricity heated dwelling units not included in the first category;~~

18 ~~3. All households not included in the above categories, in which the primary heat source of
19 the dwelling unit is natural gas or oil));~~

20 ((E)) D. To address the ~~((weatherization))~~ energy conservation needs of renters and
21 landlords by seeking ~~((the legal authority and))~~ financial resources to encourage
22 ~~((weatherization of))~~ energy conservation in rental properties;

23 ((F)) E. To distribute equitably the ~~((weatherization))~~ energy conservation benefits among
24 Seattle's residents and customers of the City Light Department; and

25 ((G)) F. To develop and implement strategies assuring that the City's housing rehabilitation
26 and ~~((weatherization))~~ energy conservation programs are complementary and effectively
27 coordinated ((;)).

28 ~~((H. To require residential structures weatherized through the CRWP to comply with
29 minimum energy conservation measures as defined in subsection A of Section 21.52.260,
30 before receiving financing for optional energy conservation measures.~~

31 F)) The City will not require any energy conservation measures which pose a risk to public
32 health.

1 **SMC 21.52.230 Program components.**

2 The ~~((Comprehensive))~~ Low-Income Residential ~~((Weatherization))~~ Energy Conservation
3 Program ("LIRECP"), which applies only to residential structures, ~~((shall consist of:~~

4 ~~A. Energy Office. The Energy Office of the City's Executive Department shall coordinate~~
5 ~~and monitor the implementation and operation of the CRWP, and maintain liaison with~~
6 ~~other governmental bodies with respect to the CRWP;~~

7 ~~B. Low income Weatherization Program ("LIWP"). The LIWP includes))~~ consists of the
8 programs administered by the Office of Housing which provide financial assistance for
9 ~~((weatherization of))~~ energy conservation for low-income households. The Office will
10 establish and administer procedures to screen ~~((low income))~~ residents of the City and
11 Customers of the City Light Department to determine ~~((their))~~ eligibility for the ~~((LIWP))~~
12 LIRECP. The ((LIWP)) LIRECP ((has)) consists of the following three (3) programs:

13 ~~((1))~~ A. Low-income Electric Program ("LIEP"). LIEP shall provide grants to ((the)) low-
14 income customers of the City Light Department and to owners of rental properties within the
15 City Light service territory whose tenants are primarily low-income customers (whose
16 primary source of heat is electricity) for the supply and installation of certain energy
17 conservation measures. The Light Fund shall provide the source of funds for LIEP. ~~((The))~~
18 LIEP ~~((program))~~ shall ~~((only))~~ be available ~~((to))~~ only for residential structures of one (1)
19 ~~((to))~~ through four (4) dwelling units, in which fifty percent or more of the dwelling units
20 are occupied by low-income households.

21 ~~((2))~~ B. Low-income Weatherization Assistance ("LIWA") Program. The LIWA program
22 shall provide grants for the supply and installation of energy conservation measures to
23 ~~((Seattle residents who are recipients of Aid to Families with Dependent Children (AFDC)~~
24 ~~and to))~~ low-income, ~~((fragile))~~ frail, or elderly Seattle residents whose income is equal to or
25 less than ~~((the defined federal eligibility standards))~~ limits defined by the State of
26 Washington and whose primary heat source is natural gas or oil. The LIWA program shall
27 be funded from non-City sources.

28 ~~((3. Weatherization Urban Development Action Grant ("Weatherization UDAG") Program.~~
29 ~~The weatherization UDAG program shall provide weatherization loans and grants for the~~
30 ~~supply and installation of energy conservation measures to low income households who~~
31 ~~income is greater than that allowed under the LIWA program, but less than eighty (80)~~
32 ~~percent of the SMSA median family income and whose primary heat source is oil or natural~~

1 ~~gas. The weatherization UDAG program will be implemented by contracts between the City~~
2 ~~and participating lending institutions on terms and conditions deemed appropriate by the~~
3 ~~Director of Housing, consistent with the provisions of the program.))~~

4 C. Low-Income Multifamily Electric Program ("LIMEP"). LIMEP shall provide grants to
5 the owners of buildings within the City Light service territory for the supply and installation
6 of energy conservation measures. Energy conservation measures shall be limited to
7 buildings whose primary source of heat is electricity. The Light Fund shall provide the
8 source of funds for LIMEP. LIMEP shall be available only for residential structures of five
9 (5) or more dwelling units in which more than fifty (50) percent of the dwelling units are
10 occupied by households that qualify as low-income.

11 ~~((C.1. Home Energy Loan Program ("HELP"). HELP shall be administered by the City~~
12 ~~Light Department for its customers who dwelling units are electrically heated. HELP shall~~
13 ~~provide assistance for the supply and installation of energy conservation measures~~
14 ~~designated by the Department on the terms and conditions deemed appropriate by the~~
15 ~~Superintendent and the Director of Finance, consistent with this chapter and with the~~
16 ~~requirements of Amendment 70, Article VIII, Section 10 of the Washington State~~
17 ~~Constitution, as implemented by the Revised Code of Washington, RCW 35.92.360.~~

18 ~~2. HELP shall enter into agreements for the supply and installation of the energy~~
19 ~~conservation measures set forth in Section 21.52.260. The cost of energy saved or produced~~
20 ~~by the use of the measures shall be less than the per unit cost of energy produced by the next~~
21 ~~least costly new energy resource which the City Light Department could acquire to meet~~
22 ~~future demand for electricity. The HELP Program shall only be available to residential~~
23 ~~structures of one (1) to four (4) dwelling units.~~

24 ~~D. Office of Housing. The Office of Housing shall encourage weatherization among those~~
25 ~~residents of Seattle not served by other components of the CRWP.~~

26 **~~SMC 21.52.240 Home Energy Loan Program (HELP).~~**

27 ~~A. The Superintendent is authorized to enter into agreements with the City Light~~
28 ~~Department's residential electric heat customers to supply and install the energy~~
29 ~~conservation measures specified in Section 21.52.260.~~

30 ~~B. Prior to entering into the agreements, an energy audit shall be conducted by City~~
31 ~~personnel to determine and inform the owner of the dwelling unit of:~~

32 ~~1. Energy conservation measures needed in the dwelling unit;~~



1 ~~2. The estimated lifecycle energy costs that are likely to result from the installation of the~~
2 ~~energy conservation measures; and~~

3 ~~3. The maximum amount of financial assistance that can be provided by HELP.~~

4 ~~C. Subsequent to the energy audit, a list of contractors who can supply and install the energy~~
5 ~~conservation measures determined by the energy audit to be advisable shall be supplied by~~
6 ~~City personnel to the owner of the dwelling unit. If the owner of a dwelling unit requests~~
7 ~~financial assistance from HELP, the City Light Department is authorized to arrange to have~~
8 ~~designated energy conservation measures supplied and installed by a qualified contractor~~
9 ~~whose bid is acceptable to the owner of the dwelling unit, the Superintendent, and the~~
10 ~~Purchasing Agent. Following installation of the energy conservation measures by a~~
11 ~~qualified contractor, the work shall be inspected by City personnel for compliance with~~
12 ~~federal standards and additional City Light standards.~~

13 ~~D. To provide for the implementation of the agreements with customers, the Superintendent~~
14 ~~and the Purchasing Agent are authorized to contract with qualified contractors to supply and~~
15 ~~install designated energy conservation measures on terms and conditions consistent with the~~
16 ~~provisions of this chapter and RCW 35.92.360. The principal amount to be paid by the~~
17 ~~customer pursuant to agreements executed prior to December 31, 1981, shall not exceed~~
18 ~~Five Thousand Five Hundred Dollars (\$5,500) per household; provided, that the~~
19 ~~Superintendent or his designee may thereafter review and adjust the maximum assistance~~
20 ~~amount in response to significant changes in the cost of supplying and installing energy~~
21 ~~conservation measures consistent with subsection E of Section 21.52.260, pursuant to the~~
22 ~~rule making provisions of the Seattle Administrative Code, Ordinance 102228, as amended.~~
23 ~~The terms and conditions and conditions of this assistance, including but not limited to~~
24 ~~repayment, interest charge, and billing, shall be adopted by the Superintendent pursuant to~~
25 ~~the administrative rule making procedure in the Seattle Administrative Code, Seattle~~
26 ~~Municipal Code, Chapter 3.02 (Ordinance 102228, as amended). Provided, however, that~~
27 ~~all terms and conditions adopted by the Superintendent shall be consistent with and shall not~~
28 ~~exceed the limitations of RCW 35.92.360.)~~

29 **SMC 21.52.250 Low-income Electric Program (LIEP).**

30 A. The Superintendent and the Director of Housing are authorized to enter into an agreement
31 to implement the LIEP, on terms and conditions deemed appropriate by the Superintendent
32 and the Director.



1 B. The Director of Housing is authorized to provide (~~weatherization~~) energy conservation
2 assistance grants to owners of buildings in which fifty percent or more of the dwelling units
3 are occupied by low-income households with electric heat, for the supply and installation of
4 energy conservation measures by qualified contractors, consistent with this chapter. An
5 energy audit shall be conducted by City personnel to determine what energy conservation
6 measures are needed in the dwelling unit. Following installation of the energy conservation
7 measures by a qualified contractor, the work shall be inspected by City personnel for
8 compliance with federal standards and additional City Light standards. As a condition of
9 participation in LIEP, the Office of Housing shall require each building owner to sign a
10 covenant to limit the rent charged to tenants, in language determined by the Superintendent
11 and Director of Housing with the length of the covenant to be determined based on the
12 amount and terms of energy conservation assistance provided.

13 C. The Director of Housing is authorized to enter into contracts with qualified contractors
14 for the supply and installation of energy conservation measures to terms and conditions
15 deemed appropriate by the Director (~~and the Director of Finance~~).

16 **SMC 21.52.260 Low-Income Multifamily Electric Program.**

17 A. The Superintendent and the Director of Housing are authorized to enter into an agreement
18 to implement the LIMEP, on terms and conditions deemed appropriate by the
19 Superintendent and the Director.

20 B. The Director of Housing is authorized to provide energy conservation grants to owners of
21 residential buildings in which fifty percent or more of the dwelling units are occupied by
22 low-income households with electric heat, for the supply and installation of energy
23 conservation measures by qualified contractors, consistent with this chapter. An energy
24 audit shall be conducted by City personnel to determine what energy conservation measures
25 are needed in the building. Following installation of the energy conservation measures by a
26 qualified contractor, the work shall be inspected by City personnel for compliance with
27 federal standards and additional City Light standards. As a condition of participation in
28 LIMEP, the Office of Housing shall require each building owner to sign a covenant to limit
29 the rent charged to tenants, in language determined by the Superintendent and Director of
30 Housing with the length of the covenant to be determined based on the amount and terms of
31 assistance provided.



1 C. The Director of Housing is authorized to enter into contracts with qualified contractors
2 for the supply and installation of energy conservation measures on terms and conditions
3 deemed appropriate by the Director.

4 ~~((SMC 21.52.260 Energy conservation measures described.~~

5 ~~A. The following energy conservation measures are required for participation in the CRWP,~~
6 ~~unless the Superintendent or the director of the department administering a weatherization~~
7 ~~program authorized by this subchapter determines in writing that installation of a measure~~
8 ~~would require substantial structural alterations which significantly diminish the cost~~
9 ~~effectiveness of the energy conservation measure:~~

10 ~~1. Attics. R 30 insulation shall be installed, unless R 19 or better insulation is already~~
11 ~~installed. If attic insulation is installed, the attic also must be ventilated in compliance with~~
12 ~~the Seattle Building Code.~~

13 ~~2. Floors. R 19 insulation shall be installed in crawl spaces, unless R 9 or better insulation~~
14 ~~is already installed. A vapor barrier, equivalent to not less than four thousandths of an inch~~
15 ~~(4 mil) thick polyethylene, shall be installed in all crawl spaces.~~

16 ~~3. Water/Steam Pipes. Accessible water and steam pipes located in unheated spaces shall be~~
17 ~~insulated.~~

18 ~~4. Heating Ducts. R 6 insulation of accessible heating ducts located in unheated spaces shall~~
19 ~~be installed.~~

20 ~~5. Water Heaters. R 5 exterior insulation of water heaters shall be installed, unless the water~~
21 ~~heater is certified by the manufacturers to have a standby loss of no greater than thirteen and~~
22 ~~six tenths (13.6) Btu's (four (4) watts) per square foot of external surface area. The water~~
23 ~~heater thermostat shall be set back to no greater than one hundred thirty degrees (130)~~
24 ~~Fahrenheit, measured at the faucet nearest to the water heater.~~

25 ~~B. At the option of the customer, the required energy conservation measures listed in~~
26 ~~subsection A of this section and the following optional measures may be financed by the~~
27 ~~CRWP.~~

28 ~~1. Walls. R 11 wall insulation;~~

29 ~~2. Floors. R 19 insulation in basements;~~

30 ~~3. Caulking and Weatherstripping. Caulking of openings in the exterior building envelope~~
31 ~~and weatherstripping of exterior doors and windows, as well as doors leading from heated to~~



1 ~~unheated spaces, to American Society of Heating, Refrigeration and Air Conditioning~~
2 ~~Engineers ("ASHRAE") standards; and~~

3 ~~4. Smoke Detectors. Underwriters' Laboratories (UL) or Factory Mutual (FM) approved~~
4 ~~battery or hard-wired smoke detectors; if hardwired, installation shall be in accordance with~~
5 ~~and under permit of the Seattle Electrical Code, Ordinance 108482, as amended.~~

6 ~~C. 1. In addition to the energy conservation measures identified in subsections A and B of~~
7 ~~this section, the following energy conservation measures may be financed by HELP:~~

8 ~~a. R-38 attic insulation~~

9 ~~b. Storm windows; and~~

10 ~~e. Automatic setback thermostats; and~~

11 ~~2. The following energy conservation measures may be financed under the UDAG Program~~
12 ~~and provided through the LIWA Program:~~

13 ~~a. R-38 insulation;~~

14 ~~b. Storm windows;~~

15 ~~c. Flame retention burners;~~

16 ~~d. Energy efficient gas furnace appliances;~~

17 ~~e. Automatic setback thermostats;~~

18 ~~f. Exhaust fans;~~

19 ~~g. Air to air exchangers; and~~

20 ~~h. Furnance repairs.~~

21 ~~D. As part of the energy audit, the City shall determine what repairs and/or rehabilitation are~~
22 ~~necessary to ensure for at least two (2) years the effectiveness of the energy conservation~~
23 ~~measures installed through the CRWP. All owners of residential structures which do not~~
24 ~~meet the two (2) year criteria must provide for necessary rehabilitation or repair services~~
25 ~~before or when the energy conservation measures are installed. Up to Two Hundred Fifty~~
26 ~~Dollars (\$250) in necessary repairs may be considered an energy conservation measure~~
27 ~~eligible for financing through LIEP and the UDAG Program.~~

28 ~~E. 1. Pursuant to the rule-making provisions of the Seattle Administrative Code, Ordinance~~
29 ~~102228, as amended, (Note 2) the Superintendent and the Director of Housing may revise~~
30 ~~the energy conservation measures designated in subsections A and B of this section,~~
31 ~~provided the revision does not diminish the cost-effectiveness of the measure.~~



1 ~~2. Pursuant to the rule making provisions of the Seattle Administrative Code, Ordinance~~
2 ~~102228, as amended, (Note 2) the Superintendent may revise the energy conservation~~
3 ~~measures designated in subsection C of this section, provided the revision does not diminish~~
4 ~~the cost effectiveness of the measure. The energy conservation measures designated in this~~
5 ~~Section 21.52.260 shall be added or deleted only by ordinance.))~~

6 **SMC 21.52.270 Liability limitations.**

7 No provision of nor term used in this ((subchapter)) chapter is intended to impose any duty
8 whatsoever upon the City or any of its officers or employees, for whom the implementation
9 of this ((subchapter)) chapter shall be discretionary and not mandatory. Nothing contained
10 in this ((subchapter)) chapter or any agreement or act authorized hereunder is intended to be
11 nor shall be construed to create or form the basis for any liability on the part of the City, or
12 its officers, employees or agents, for any injury or damage resulting from the
13 implementation of the ((subchapter)) chapter, or by reason of any action or inaction on the
14 part of the City, or its officers, employees, or agents, related in any manner to the
15 implementation of this ((subchapter)) chapter.

16
17 Section 2. Any act pursuant to the authority and prior to the effective date of this
18 ordinance is hereby ratified and confirmed.

19
20 Section 3. This ordinance shall take effect and be in force thirty (30) days from and
21 after its approval by the Mayor, but if not approved and returned by the Mayor within ten
22 (10) days after presentation, it shall take effect as provided by Municipal Code Section
23 1.04.020.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Passed by the City Council the 24th day of September, 2001, and signed
by me in open session in authentication of its passage this 24th day of September,
2001.

Margaret Pappas

President of the City Council

Approved by me this 28th day of SEPTEMBER, 2001.

Paul Schell

Paul Schell, Mayor

Filed by me this 2nd day of October, 2001

Scott R.

City Clerk

(SEAL)





City of Seattle

Paul Schell, Mayor

Seattle City Light

Gary Zarker, Superintendent

September 7, 2001

The Honorable Margaret Pageler, President
Seattle City Council
600 Fourth Avenue
11th Floor, Municipal Building
Seattle, WA 98104-1873

Dear Councilmember Pageler:

Re: An ordinance relating to the City's low-income energy conservation programs; adopting a low-income multifamily energy conservation program; clarifying program requirements; eliminating programs that no longer are used or useful: and amending Seattle Municipal Code Chapter 21.52 in connection therewith.

Seattle City Light proposes to increase income limits for SCL-funded energy conservation programs, administered by the Office of Housing (OH), for multifamily buildings. Setting household income limits for the multifamily program at 60% of the area median is consistent with existing income limits for buildings with one to four family dwelling units. Under the proposal, the annual income limits for a single person household would increase from \$10,738 to \$30,324. The proposed increase will allow the Office of Housing to serve non-profit housing providers that were not previously eligible for energy conservation measures and will allow SCL to more rapidly and more efficiently use the \$894,119 that is in the FY 2001 budget for this purpose.

In addition, this ordinance will eliminate programs that are no longer used and will amend Seattle Municipal Code Chapter 21.52 in connection therewith.

700 Fifth Avenue, Suite 3300, Seattle, WA 98104-5031

Tel: (206) 684-3000, TDD: (206) 684-3225, Fax: (206) 625-3709

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



STATE OF WASHINGTON – KING COUNTY

--SS.

136907
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120538 ORD. IN FULL

was published on

10/12/01

J. Hedman

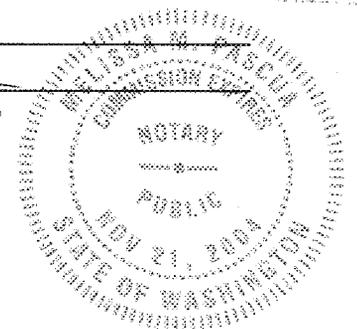
Subscribed and sworn to before me on

10/12/01

Mel Mause

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 120538

AN ORDINANCE relating to the City's low-income energy conservation programs; adopting a low-income multifamily energy conservation program; clarifying program requirements; eliminating programs that no longer are used or useful; and amending Seattle Municipal Code Chapter 21.52 in connection therewith.

WHEREAS, the dramatic rise in wholesale energy costs has meant substantially higher costs for the City Light Department and significant rate increases for its customers, including low-income customers and housing providers serving those customers; and

WHEREAS, the City desires to encourage conservation of electric energy in multifamily buildings occupied predominantly by low-income residents; reduce energy costs; and address the energy conservation needs of low-income tenants and housing providers; and

WHEREAS, income eligibility standards should be set at a level that encourages participation in a low-income multifamily energy conservation program by owners of existing buildings that provide housing for low-income residents; and

WHEREAS, a low-income multifamily energy conservation program should require participating building owners to agree to limit rents to ensure that low-income energy conservation funds are invested in buildings that will continue to serve low-income residents for a substantial period of time; and

WHEREAS, the requirements of other City low-income energy conservation programs should be clarified; and

WHEREAS, certain existing City energy conservation programs no longer are used or useful; NOW THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. SCM Chapter 21.52, as last amended by Ordinance 120336, is hereby amended to read as follows:

(SUBCHAPTER 1 CONSERVATION INVESTMENT ASSISTANCE PROGRAM)

SMC 21.52.010 PROGRAM ESTABLISHED—ADMINISTRATION

The Superintendent of Lighting is authorized to establish a Conservation Investment Assistance Program; said program shall be administered in a manner to assist certain low income Lighting Department customers who heat their own homes primarily with electric heat to insulate said homes; the Superintendent of Lighting will expend a maximum of Two Hundred Seven Thousand Dollars (\$207,000) to accomplish the goals of the Conservation Investment Assistance Program.

SMC 21.52 ELIGIBILITY — LOW INCOME ELDERLY

Eligibility for participation in the Conservation Investment Assistance Program shall be determined by the Human Services Department from verified applications and inspection of the homes; such inspections shall be based on the following criteria for the following classes of low income persons;

Low income Elderly.

A. The head of household must own the home and must be sixty-five (65) years of age or older; and

B. Have a gross annual income of less than Five Thousand Six Hundred Seven Dollars (\$5,607), if single, or Seven Thousand Three Hundred Thirty-one Dollars (\$7,331), if

01-9-36097-9	Seacac City	\$120, TAX
01-9-12484-1	Donat Family	\$39,160, CON
01-9-08395-9	WA State L&I v In-	\$328, TMV
01-9-11953-8	WA State L&I v	\$2,390, TAX
01-9-11987-2	Mannon v Irvin	\$3,054, TMV
01-9-14388-9	Hsc Real Estate Inc v	\$647, GEN
01-9-37902-5	Capital One v Doyle	\$2,948, GEN
01-9-15620-4	Layman v Gleason	\$5,736, TMV
01-9-12643-7	Ford Motor Credit Co	\$7,365, GEN
01-9-13511-8	Allied Credit Co v	\$1,354, GEN
01-9-13512-6	Allied Credit Co v	\$1,033, TRJ
01-9-13548-7	Tbf Financial v Jeon	\$3,697, TRJ
01-9-13599-1	Elliott Bay Adjust-	\$886, INC
01-9-1426-6	Amquest Mfg Co v La	\$174,333, GEN
01-9-14393-5	Nordstrom Natl Credit	\$9
01-9-14392-7	Schuetz etano v Pak	\$3,119

