

## District of Columbia Council Passes Green Building Bill

On December 5, 2006, the District of Columbia Council voted in favor of the “Green Building Act of 2006,” thus joining a growing number of cities requiring developers to meet environmental sustainability standards. Mayor Anthony Williams is expected to sign the bill which then goes to 30-day Congressional review.

The Act’s central feature is the adoption of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the U.S. Green Building Council for large commercial development. LEED uses a point system and building standards to rate buildings that incorporate green building elements, such as recycled materials, solar energy, efficient windows and appliances, and bicycle facilities.

The Green Building Act will require that:

- ◆ By January 1, 2008, the Mayor must submit construction code revisions that incorporate “green building practices”;
- ◆ As of 2008, all city-owned or funded projects 10,000 square feet or greater must be certified as meeting LEED Silver Level and/or must be designed to achieve certain energy efficiency targets;
- ◆ Public housing must comply with similar environmental standards;
- ◆ Beginning January 1, 2009, new private commercial projects of 50,000 square feet will need to submit a “green building checklist” as part of a building permit application;
- ◆ Beginning January 1, 2012, applications for permits for new commercial construction or substantial improvements 50,000 square feet or greater will need to “exceed or fulfill” certain LEED standards, and post a performance bond;
- ◆ Compliance must be verified, either by an agency of the District of Columbia or by an approved third-party verifier;
- ◆ Developers can participate in early adoption incentive programs including grants and expedited permit review for green buildings; and
- ◆ A new Green Building Fee will be assessed on building permits.

Owners and developers in the District of Columbia should begin planning

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now for compliance with the Green Building Act and consider whether the early adoption program is suitable for them. Finally, owners and developers will need to familiarize themselves with the LEED standards and ensure that they document and retain the information required for verification.

For more information about either the Green Building Act of 2006 or the LEED Building Rating System, please contact David M. (“Max”) Williamson at (202) 789-6084 ([dwilliamson@bdlaw.com](mailto:dwilliamson@bdlaw.com)) or Fred R. Wagner at (202) 789-6041 ([fwagner@bdlaw.com](mailto:fwagner@bdlaw.com)).