

ORDINANCE NO. 1

SERIES 2015

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING CHAPTER 18, ARTICLE 9 OF THE CRESTED BUTTE MUNICIPAL CODE TO ALLOW FOR THE USE OF ENTERPRISE GREEN CERTIFICATION IN LIEU OF LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) CERTIFICATION FOR RESIDENTIAL BUILDINGS OVER 20,000 SQUARE FEET**

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, Chapter 18, Article 9 of the Crested Butte Municipal Code (the "Code") contains minimum efficiency standards for new construction and commercial structures;

WHEREAS, such minimum efficiency standards require that all new commercial buildings in excess of 20,000 square feet must be Leadership in Energy and Environmental Design (LEED) certified;

WHEREAS, Town staff has studied an alternative standard to LEED, Enterprise Green, that is required to be utilized in certain affordable housing projects, and found that Enterprise Green commands comparable, if not equal, efficiency in design and construction methods;

WHEREAS, based on the foregoing, and the fact that certain affordable housing projects require Enterprise Green instead of LEEDs certified building, the Town staff has recommended amending the Code to allow Enterprise Green as an alternative to LEEDs certified building, for all new residential buildings in excess of 20,000 square feet; and

WHEREAS, the Town Council finds that amending the Code to include Enterprise Green as an alternative to LEEDs for all residential buildings in excess of 20,000 square feet is in the best interest of the health, safety and general welfare of the Town, its residents and visitors for the reasons recommended by Town staff hereinabove, and, for such reasons, the Town Council adopts the Code revisions set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

**Section 1. Amendment to Chapter 18, Article 9.** The Town Council hereby amends Section 18-9-50 of the Code by deleting said Section in its entirety and replacing the same with the following new Section that shall read as follows:

**“18-9-50 Minimum efficiency standards for new construction; commercial structures greater than 20,000 square feet.**

All new commercial, school, industrial, residential or mixed-use buildings in excess of 20,000 square feet must be Leadership in Energy and Environmental Design (LEED) certified; except that residential buildings in excess of 20,000 square feet may be Enterprise Green certified in lieu of LEEDs certified. The cost and expense of achieving a certified rating shall be borne by the applicant for the building permit for the structure.”

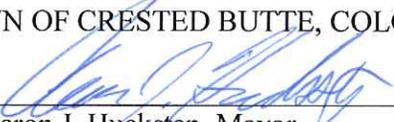
**Section 2. Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 3. Savings Clause.** Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 3<sup>rd</sup> DAY OF March, 2015.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 16<sup>th</sup> DAY OF March, 2015.

TOWN OF CRESTED BUTTE, COLORADO,

By:   
Aaron J. Huckstep, Mayor

ATTEST:

  
Lynelle Stanford, Town Clerk

(SEAL)

