

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-24-80

Time 11:10 A.M.

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1980



ENROLLED

SENATE BILL NO. 398

(By Mr. Brotherton, Mr. President)



PASSED March 8 1980

In Effect ninety days from Passage



No: 398

ENROLLED

Senate Bill No. 398

(By MR. BROTHERTON, MR. PRESIDENT)

[Passed March 8, 1980; in effect ninety days from passage.]

AN ACT to amend chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-one, relating to establishing statewide energy cost reduction guidelines for new and significantly renovated buildings.

Be it enacted by the Legislature of West Virginia:

That chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-one, to read as follows:

ARTICLE 21. ENERGY COST REDUCTION GUIDELINES.

§5-21-1. Definitions.

1 As used in this article:

2 (a) "ASHRAE" means the organization known as the
3 American Society of Heating, Refrigerating and Air Con-
4 ditioning Engineers.

5 (b) "Director" means the director of the governor's
6 office of economic and community development.

§5-21-2. Establishment of energy cost reduction guidelines; certification; training.

1 The director shall develop statewide energy cost re-
2 duction guidelines to be applicable to new and significant-
3 ly renovated buildings for which a building permit is is-
4 sued. In developing the guidelines, the director shall es-
5 tablish as the minimum criterion the ASHRAE 90-75
6 standard energy conservation in new building design.

7 Based on the state guidelines each local jurisdiction in
8 the state having a building code shall require each permit
9 application to be accompanied by sufficient information
10 to determine that the energy conservation measures
11 under the guidelines are met. A letter of certification from
12 an architect or a registered professional engineer may
13 provide adequate certification that the new construction
14 or renovation is in compliance with the minimum criteria
15 as established by the director.

16 The director shall provide training to local jurisdictions
17 on the application of the state guidelines, which may in-
18 clude training programs developed by agencies of the
19 federal government.

§5-21-3. Advisory commission.

1 To assist in the development and implementation of
2 statewide energy guidelines under this article, the director
3 shall appoint an advisory commission of seven members
4 who shall serve without compensation. In appointing the
5 commission, the director shall include representatives of
6 building code enforcement agencies, the architectural and
7 engineering professions, public utilities, the construction
8 industry, legislative bodies of local units of government
9 and the general public.

§5-21-4. Exemptions.

1 The following shall be exempt from compliance with
2 the energy cost reduction guidelines developed under
3 this article:

4 (a) Any type or class of building specifically made
5 exempt by the local jurisdiction;

6 (b) Mobile homes;

7 (c) Any structure neither heated nor cooled, nor de-
8 signed for human occupancy; and

9 (d) Any building specifically designated by a local
10 jurisdiction as being of historical significance.

§5-21-5. Effective date of guidelines on permit applications.

1 The provisions of this article shall not apply to any
2 application for a building permit made before the first
3 day of January, one thousand nine hundred eighty-one.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clarence C. Chestnut Jr
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage

Todd C. Willis
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

H. G. B. [Signature]
President of the Senate

Clay M. Lee, Jr
Speaker House of Delegates

The within is approved this the 24
day of March, 1980.

[Signature]
Governor



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