

Schedule "A"
BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§ 1. DEFINITIONS

As used hereinafter, the following terms shall have the meanings indicated:

(A) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) "Chairperson" shall mean the chair of the Conservation Advisory Committee.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Clinton that is 1,000 square feet or larger in size.

(5) "Conservation Advisory Committee" shall be the committee selected to enforce the Benchmarking Policy.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

Schedule "A"
BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§2. APPLICABILITY

- (1) This policy is applicable to all Covered Municipal Buildings as defined in Section 1 of this policy.
- (2) The Chairperson may exempt a particular Covered Municipal Building from the benchmarking requirement if the Chairperson determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

- (1) No later than April 1, 2019, and no later than April 1 every year thereafter, the Chairperson or his or her designee from the Conservation Advisory Committee shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.
- (2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Chairperson or his or her designee from the Conservation Advisory Committee shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

- (1) The Conservation Advisory Committee shall if possible make available to the public on the Town of Clinton website Benchmarking Information for the previous calendar year:
 - (a) no later than June 1, 2019 and by June 1 of each year thereafter for Covered Municipal Buildings; and
- (2) The Conservation Advisory Committee shall if possible make available to the public on the Town of Clinton website and update at least annually, the following Benchmarking Information:
 - (a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
 - (b) For each Covered Municipal Building individually:
 - (i) The status of compliance with the requirements of this Policy; and
 - (ii) The building address, primary use type, and gross floor area; and
 - (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

- (iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Conservation Advisory Committee shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Conservation Advisory Committee for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Chairperson or his or her designee from the Conservation Advisory Committee shall be the Chief Enforcement Officer of this Policy.

(2) No later than July 1 2019 and no later than July 1 every year thereafter, the Chief Enforcement Officer shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Chairperson determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.