



# MEMORANDUM

Office of the City Attorney

Legistar No. 001835  
Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

**DATE:** ~~September 23, 2002~~  
October 14, 2002  
~~FIRST READING~~  
SECOND READING

**FROM:** City Attorney

**SUBJECT:** Ordinance No. 0-02-05

An ordinance of the City of Gainesville, Florida, creating a new Section in Chapter 6, consisting of sections 6-5 through 6-15 inclusive; and adding said sections to the Code of Ordinances of the City of Gainesville, relating to the "Gainesville Green Building Program;" providing for definitions; providing for the intent and purpose of the Program; providing for designation of responsibility for the administration and implementation of the Program; providing for voluntary and mandatory participation in the Program; providing for scope of the program; providing for Program standards; providing for incentives to use the Program; providing for certification; providing for training; providing for review of the Program; providing for resolution of disputes; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.


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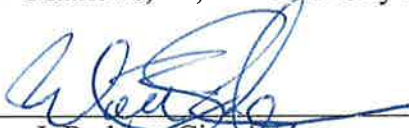
Recommendation: The City Commission adopt the proposed ordinance.

The Community Development Committee has worked with Gainesville Regional Utilities, Building Inspection and Community Development staff and the Conservation Clinic of the University of Florida, Levin College of Law to develop a local "green building" program for the City of Gainesville. The program was originally known as the "SmartBuilt Program." However, based on discussions in various committee meetings, staff proposes that the program now be called simply the "Gainesville Green Building Program." The Committee has hosted a workshop for additional community input on the program. For all non-city projects, the program would be a voluntary, incentive-based program run by the City of Gainesville and certified through a third party independent of the City of Gainesville, except that the standards would be required in most cases for all newly constructed City civic and office buildings. On January 28, 2002, the City Commission heard presentations from the staff of Community Development and GRU Energy and Business Services. The City Commission authorized the City Attorney to draft and the Clerk of the commission to advertise the appropriate ordinance.

The Gainesville "Green Building Program" ordinance was drafted and subsequently revised by the Regional Utilities Committee to reflect the role that GRU would have in implementing the "Gainesville Green Building Program." The revised changes were reported to the City Commission who then referred the ordinance back to the Community Development Committee so the committee could review the revisions. On July 1, 2002, the Community Development Committee reviewed the revisions and referred the ordinance back to the Commission.

Fiscal Note. \$5,000 is available in the Building Inspection Department's budget. Subsidies of fees and any marketing to be done will require additional funding in future years. Most communities with green building programs also have annual marketing funds.

Prepared by:   
Walter Mathews, IV, Assistant City Attorney

Approved and  
Submitted by:   
Marion J. Radson, City Attorney

MJR:WM:sw

PASSED ON FIRST READING BY A VOTE OF 5-0.