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Proposal ruffles builders

All new homes may need energy inspections

Austin Business Journal - by [Jacob Dirr](#) ABJ Staff

A new ordinance requiring new housing starts to undergo energy inspections cleared its last hurdle Nov. 17 and will be sent to the City Council amid ardent opposition from the local home builders association.

The proposed law, which adopts the 2009 International Energy Conservation Code, will supplant an old rule that only required a sampling of similar new housing by the same builder to be tested. The new rule will instead mandate testing for every single- or two-family unit by outside contractors.

Multifamily complexes and attached buildings will still have a random sample of units tested.

The proposal was recommended 5-0 by the Building and Fire Code Board of Appeals on Nov. 4 and recommended 5-1 by the **Mechanical Plumbing and Solar Board** 13 days later. **It probably won't hit City Council until after the New Year.**

The boards also amended the proposed ordinance regarding how commercial buildings will be affected.

Instead of requiring new commercial buildings 5,000 square feet or larger to have its heating, ventilation and cooling equipment checked, the boards adopted a 10,000-square-foot threshold.

Those tests will cost owners 25 cents to 50 cents per square foot, said John Umphress, an **Austin Energy** program specialist.

The 2009 international energy code is a national code. Statewide adoption is required to receive federal stimulus funds.

While Austin had been a vanguard of energy-efficient building, the international codes represent a leap forward in other communities matching Austin's energy history.

The 2009 internationally adopted code includes thorough residential testing and narrowly missed approval to include the commercial buildings checks, Umphress said.

Despite acceptance in many other markets, the Austin home builders association is opposing the new code, claiming it will further increase home prices, propel urban sprawl and is evidence of government out-of-step with business.

At the Nov. 17 hearing, **Home Builders Association of Greater Austin** Executive Vice President Harry Savio said the new codes will add 88 cents per square foot to the cost of new houses in Austin and further slow sluggish permitting offices that are understaffed.

But Umphress challenged the HBA's cost estimate, arguing a good portion of Austin home builders already exceed the proposed requirements, thereby negating the market impact.

Mechanical Plumbing and Solar Board member Michael Nail, who owns a plumbing and mechanical company, cast the lone dissenting vote, citing his knowledge of home building and Savio's opposition.

No one else on the board works primarily in residential construction, Nail said.

While Savio said the city is unaware of business needs and has not engaged the community, Umphress said officials met with home builders in August to discuss the changes.

Umphress also said he is acting on behalf of city policymakers, who in 2006 adopted codes that aim to make all new single-family homes in Austin zero energy capable by 2015. A zero-energy home produces as much energy as it consumes.

Umphress said since sample testing was instituted in 2006, they have averaged about 140 home inspections per month, with about 10 percent failing.

So far, about 38 contractors have been approved to do inspections, though Nail, a Council Member Laura Morrison appointee, said he questioned whether there will be enough to keep up after new housing starts recover.

At least two other Mechanical Plumbing and Solar Board members questioned the return on investment for home buyers with the new energy codes.

Thomas Combs, appointed by Council Member Sheryl Cole, insisted that Austin Energy brief city officials on the inspection program's results in 12 months.

Stephen Cox, a Council Member Mike Martinez appointee, also had some pointed questions about the rules, although he voted for it. He compared it to an experiment and said he would draw his conclusion once they are presented with data next year.

Courtesy of JB Goodwin