

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, CREATING THE GREEN BUILDING PROGRAM AND REGULATING THE ENERGY EFFICIENCY, CONSERVATION OF WATER, INDOOR AIR QUALITY AND RECYCLING OF WASTE OF ALL RESIDENTIAL BUILDINGS AND STRUCTURES IN THE CITY OF FRISCO, TEXAS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to create the Green Building Program.

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Green Building Program. The Green Building Program sets the minimum standards for energy efficiency, conservation of water, indoor air quality and waste recycling for all single-family residential buildings platted after May 23, 2001 ("Minimum Standards"). The Minimum Standards required for all single family residential buildings and structures are set forth in Exhibit A, which is attached hereto and incorporated herein.

SECTION 3: Saving/Repealing Clause. Ordinances or parts thereof in force at the time this Ordinance shall take effect and inconsistent herewith are hereby repealed to the extent that they are inconsistent with this Ordinance; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4: Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00), and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent

jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

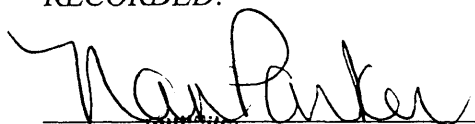
SECTION 6: Effective Date. The caption of this Ordinance shall be published in accordance with the City Charter, and shall be effective immediately upon its passage and such publication.

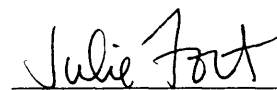
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 1st day of May, 2001.


KATHLEEN A. SEEL, Mayor

ATTESTED AND CORRECTLY
RECORDED:

APPROVED AS TO FORM:


NANCY PARKER, City Secretary


ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.
RICHARD M. ABERNATHY
City Attorneys



Date of Publication: May 4th 11, 2001, Frisco Enterprise

Exhibit A

Minimum Standards

Energy Efficiency

1. The minimum standard for energy efficiency of single-family residential structures shall be the Environmental Protection Agency's Energy Star™ designation as it currently stands or may be amended.

Water Conservation

1. Provide a drought tolerant landscaping option for homebuyers (turf and plants).
2. Provide information in models concerning the benefits of xeriscaping and water conservation practices.
3. If bedding areas are installed, they must be mulched (recycled-content mulch or compost).
4. If an irrigation system is installed, it must include a rain and freeze sensor, installed to manufacturers specifications.
5. If an irrigation system is installed, it must be a zoned irrigation system.

Indoor Air Quality

1. Mechanical room walls exposed to living area insulated to R-11.
2. Provide range hood vented to outside.
3. Unvented fireplaces and gas logs having a fan that blows any portion of the combustion gases into living spaces are not allowed.
4. One carbon monoxide (CO) detector, hardwired, shall be installed per 1,000 sq. ft. of living space (minimum of one per floor), in all houses where an attached garage or any combustion appliance is used.
5. All joints in the air distribution system shall be sealed with duct mastic or approve equivalent.
6. Total duct leakage measured in CFM at 25 Pascal's pressure, shall be less than or equal to 5% of the square footage served by each unit or equal to or less than 10% of the fan flow at high speed for each system installed.
7. Airflow to each room will match designed airflow calculations to within +/- 10%.
8. Exterior ventilation system installed per ASHRAE standards must perform at: kitchen - 100 CFM; bathroom - 20 CFM (continuous) or 50 CFM (spot); master bedroom - 20 CFM; other bedrooms - 10 CFM.

9. Provide a furnace and/or duct-mounted electronic / electrostatic air cleaner option for homebuyers.
10. If central vacuum system is installed, it must exhaust to outside.
11. HVAC plenums on the supply side must be constructed of sheet metal (no duct board) with external insulation (minimum R-6, if located in unconditioned space).

Waste Recycling

1. Construction waste (brick and wood) hauled from the building site by the builder shall be taken to a site or facility legally empowered to accept it for recycling as approved by the County and State in which the facility is located.
2. Construction waste reduction / reuse plan written and followed by builder.
3. Donate unwanted building materials to a non-profit building organization.
4. Provide a built-in recycling center option with two or more bins (minimum of 5 gallons each) for homebuyers.
5. Provide a composting system option installed in yard for homebuyer (manufactured or made at site).