



SPONSOR: Sen. McDowell & Rep. DiPinto;
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DELAWARE STATE SENATE

142nd GENERAL ASSEMBLY

SENATE BILL NO. 306

June 3, 2004

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES FOR ENERGY CONSERVATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 76, Title 16 of the Delaware Code, by striking § 7602 thereof in its entirety and by substituting in lieu thereof the following:

“§ 7602. Code for Energy Conservation.

(a) Except as herein noted, no county or municipal building or plumbing code shall contain any provision which shall be materially at variance with the International Code Council (ICC), International Energy Conservation Code, 2000 Edition (IECC 2000) jointly prepared by the Building Officials and Code Administrators International, Inc. (BOCA), the International Conference of Building Officials (ICBO) and the Southern Building Code Congress International, Inc. (SBCCI). In effect, IECC 2000 shall be the referenced energy code for all new detached 1 and 2-story family dwellings and all other new residential buildings 3 stories or less in height. Energy standards for all other new buildings, to include high-rise residential, shall be established in accordance with the 2001 supplement to IECC 2000 that references the American Society of Heating, Refrigerating and Air Conditioning Engineers/Illuminating Engineering Society of North America (ASHRAE/IESNA) Standard 90.1 - 1999; provided, however, that the respective county or municipal government shall exclude agricultural structures from these provisions.

(b) The Delaware Energy Office, or its successor, shall promulgate procedures for certification of compliance with these codes and standards; provided, however, with respect to compliance with these codes and standards for a commercial building of less than 5,000 square feet in size, the respective local government, rather than requiring that such compliance be certified by licensed engineers or architects, as is required with commercial buildings of

19 5,000 square feet or more, may elect to utilize a commercial buildings ASHRAE/IESNA Standard 90.1-1999
20 Compliance Guide or COMcheck-EZ, to include computerized software compliance packages or a locally-
21 developed ASHRAE/IESNA Standard 90.1-1999 or COMcheck-EZ compliance checklist for insuring compliance.”

SYNOPSIS

This Act updates building code requirements for energy efficiency.

Author: Senator McDowell