

Jason Webster -8/18/2023

AHJ. The legislation names the DFS as the AHJ. DFS is tasked with updating / amending the Energy Code. To align with other currently administered codes we create three BES (Building Energy Standard) types. CBES. RBES Multi Family. And RBES single family. DFS through rulemaking can decide how different they want to make the prescriptive and performance requirements of each BES classification. RBES single family should be as prescriptive (not performance based) as possible.

DFS takes applications, does inspections, and certifies CBES and RBES Multifamily like they already administer Building, Electrical, and Plumbing codes for these building types. They can create their administrative program as they see fit.

The enabling legislation requires DFS to assign administration of RBES Single Family to town Zoning Administrators. If no town Zoning Administrator, or if a Town doesn't want to adopt the code, than no RBES Single Family is applicable in that town (CBES and RBES MultiFamily remain applicable and reviewed at the State / DFS level). This; allows independent towns to remain independent, might incentivize towns to adopt zoning (because it won't be popular in the public eye to not adopt an energy code), and removes the risk to single family builders to adopt / implement / certify a code that they are not being trained on how to implement or certify.

DFS creates simple software for town Zoning Administrators to use to administer RBES Single Family. The template includes an electronic dashboard that a builder can use to upload house details. Inputs follow the Prescriptive and Point requirements of the current code. It'll give a preliminary "pass" or "fail" based on inputs, and prints out an inspection template for the builder and zoning administrator to use. At the end of construction both the ZA and Builder sign off on the inspection report. The software prints an RBES Certificate. It can then be filed with whoever. This proposal; assumes the ZA isn't familiar with construction, standardizes the process across (adopting) towns, gets the builder thinking about RBES Single Family requirements at the beginning of construction, and introduces some level of third party verification which should increase compliance.

A town can adopt the more stringent Stretch Code for RBES Single Family if they wish.

CBES and RBES Multifamily can rely more heavily on Performance based certification if they'd like. These building types tend to be more complicated. And they already have architects / consultants involved for other DFS code requirements. Whereas most single family homes do not.