

PUBLIC COMMENT VERSION-October 1, 2022

ORDINANCE NO. _____

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5 An ordinance amending Chapter 59, "Dallas Energy Conservation Code," of the Dallas City
6 Code, as amended; adopting with certain changes the 2021 Edition of International Energy
7 Conservation Code of the International Code Council, Inc.; providing standards and
8 requirements for the design and construction of energy-efficient buildings and spaces within
9 the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a
10 severability clause; and providing an effective date.

11 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

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13 SECTION 1. That Chapter 59, "Dallas Energy Conservation Code," of the Dallas
14 City Code, as amended, is amended by adopting the 2021 Edition of the International Energy
15 Conservation Code of the International Code Council, Inc. (which is attached as Exhibit A
16 and made a part of this ordinance), with the following amendments:

- 17 1. Page xi, "Legislation," is deleted.
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19 2. Subsection C101.1, "Title," of Section C101, "Scope and General
20 Requirements," of Part 1, "Scope and Application," of Chapter 1 [CE], "Scope and
21 Administration," of the Commercial Provisions of the 2021 International Energy
22 Conservation Code is amended to read as follows:

23 "**C101.1 Title.** This code shall be known as the *Dallas [International] Energy*
24 *Conservation Code* [of ~~[NAME OF JURISDICTION]~~], and shall be cited as such. It is
25 referred to herein as 'this code.'

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27 **C101.1.1 Additional administrative provisions.** Except as otherwise specified in this
28 chapter, all provisions of Chapter 52, 'Administrative Procedures for the Construction
29 Codes of the City of Dallas' apply to this code."
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32 3. Subsection C102.1, "General," of Section C102, "Alternate Materials - Design
33 and Methods of Construction, and Equipment," of Part 1, "Scope and Application," of Chapter
34 1 [CE], "Scope and Administration," of the Commercial Provisions of the 2021 International
35 Energy Conservation Code is amended by adding a new Paragraph C102.1.2, "Alternative
36 Compliance," to read as follows:

37 **"C102.1.2 Alternative compliance. A building certified by a national, state, or local**
38 **accredited energy efficiency program and determined by the Energy Systems Laboratory to**
39 **be in compliance with the energy efficiency requirements of this section may, at the option**
40 **of the code official, be considered in compliance. The United States Environmental**
41 **Protection Agency's Energy Star Program certification of energy code equivalency shall be**
42 **considered in compliance."**

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44 4. Section C110, "Board of Appeals," of Part 2, "Administration and
45 Enforcement," of Chapter 1 [CE], "Scope and Administration," of the Commercial Provisions
46 of the 2021 International Energy Conservation Code is deleted.

47 5. Paragraph C402.5.2 " Dwelling and sleeping unit enclosure testing," of Subsection
48 C402.5, " Air leakage-thermal envelope," of Section C402, "Building Envelope requirements," of
49 Chapter 4 [CE], "Commercial Energy Efficiency," of the Commercial Provisions of the 2021
50 International Energy Conservation Code is amended to read as follows:

51 **"C402.5.2 Dwelling and sleeping unit enclosure testing.** The building thermal envelope shall
52 be tested in accordance with ASTM E779. ANSI/RESNET/ICC 380, ASTM E1827 or an
53 equivalent method approved by the code official. The measured air leakage shall not exceed 0.30
54 cfm/ft² (1.5 Us m²) of the testing unit enclosure area at a pressure differential of 0.2 inch water
55 gauge (50 Pa). Where multiple dwelling units or sleeping units or other occupiable conditioned
56 spaces are contained within one building thermal envelope, each unit shall be considered an
57 individual testing unit, and the building air leakage shall be the weighted average of all testing
58 unit results, weighted by each testing unit's enclosure area. Units shall be tested separately with
59 an unguarded blower door test as follows:

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61 1. Where buildings have fewer than eight testing units, each testing unit shall be tested.
62 2. For buildings with eight or more testing units, the greater of seven units or 20 percent
63 of the testing units in the building shall be tested, including a top floor unit, a ground
64 floor unit, a middle floor unit, and a unit with the largest testing unit enclosure area.

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65 For each tested unit that exceeds the maximum air leakage rate, an additional two
66 three units shall be tested, including a mixture of testing unit types and locations.

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69 6. Subsection R101.1, "Title," of Section R101, "Scope and General Requirements,"
70 of Part 1, "Scope and Application," of Chapter 1 [RE], "Scope and Administration," of the
71 Residential Provisions of the 2021 International Energy Conservation Code is amended to read as
72 follows:

73 **"R101.1 Title.** This code shall be known as the *Dallas [International] Energy Conservation Code*
74 [~~of [NAME OF JURISDICTION]~~], and shall be cited as such. It is referred to herein
75 as 'this code.'

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77 **R101.1.1 Additional administrative provisions.** Except as otherwise specified in this
78 chapter, all provisions of Chapter 52, 'Administrative Procedures for the Construction Codes
79 of the City of Dallas' apply to this code."

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81 7. Subsection R102.1, "General," of Section R102, "Alternate Materials, Design and
82 Methods of Construction and Equipment," of Part 1, "Scope and Application," of Chapter 1 [RE],
83 "Scope and Administration," of the Residential Provisions of the 2021 International Energy
84 Conservation Code is amended by adding new Paragraph R102.1.2, "Alternative Compliance," to
85 read as follows:

86 **"R102.1.2 Alternative compliance.** A building certified by a national, state, or local accredited
87 energy efficiency program and determined by the Energy Systems Laboratory to be in
88 compliance with the energy efficiency requirements of this section may, at the option of the Code
89 Official, be considered in compliance. The United States Environmental Protection Agency's
90 Energy Star Program certification of energy code equivalency shall be considered in compliance.
91 Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be
92 tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3
93 (N1103.3.3) respectively.

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95 8. Section R110, "Means of Appeals," of Part 2, "Administration and Enforcement,"
96 of Chapter 1 [RE], "Scope and Administration," of the Residential Provisions of the 2021
97 International Energy Conservation Code is deleted.

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98 9. Section R202, "General Definitions," of Chapter 2 [RE], "Definitions," of the
99 Residential Provisions of the 2021 International Energy Conservation Code is amended by adding
100 in alphabetical order new defined terms, "Dynamic Glazing," and "Projection Factor," to read as
101 follows:

102 **"DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to
103 change its performance properties, including U-factor, solar heat gain coefficient (SHGC), or
104 visible transmittance (VT).

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106 **PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or
107 permanently attached shading device, divided by the distance measured vertically from the
108 bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached
109 shading device."

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111 10. Paragraph R105.2.2, "Framing and rough-in inspection," Paragraph R105.2.3,
112 "Plumbing rough-in inspection," Paragraph R105.2.4, "Mechanical rough-in inspection,"
113 Paragraph R105.2.5, "Final inspection," of Subsection R105.2,"Required inspections," of Section
114 R105, "Inspections," of Chapter 1 [RE], "Scope and Administration," of the Residential Provisions
115 of the 2021 International Energy Conservation Code are amended to read as follows:

116 **R105.2.1 Footing and foundation inspection.**

117 Inspections associated with footings and foundations shall verify compliance with the code as
118 to R-value, location, thickness, depth of burial and protection of insulation as required by the
119 code and approved plans and specifications.

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121 **R105.2.2 Framing and Air Barrier rough-in inspection.**

122 Inspections at framing and rough-in shall be made before application of interior finish insulation
123 and shall verify compliance with the code as to: types of insulation and corresponding R-values
124 and their correct location and proper installation; fenestration properties such as U-factor and
125 SHGC and proper installation; air leakage controls as required by the code; and approved plans
126 and specifications.

127
128 **R105.2.3 Insulation and Fenestration rough-in inspection.**

129 Inspections at framing and rough-in shall be made before application of interior finish and shall
130 verify compliance with the code as to: types of insulation and corresponding R-values and their
131 correct location and proper installation; fenestration properties such as U-factor and SHGC and
132 proper installation.

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134 **R105.2.34 Plumbing rough-in inspection.**

135 Inspections at plumbing rough-in shall verify compliance as required by the code
136 and approved plans and specifications as to types of insulation and corresponding R-values and
137 protection and required controls.

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139 **R105.2.45 Mechanical rough-in inspection.**

140 Inspections at mechanical rough-in shall verify compliance as required by the code
141 and approved plans and specifications as to installed HVAC equipment type and size, required
142 controls, system insulation and corresponding R-value, system air leakage control,
143 programmable thermostats, dampers, whole-house ventilation, and minimum fan efficiency.

144 **Exception:** Systems serving multiple dwelling units shall be inspected in accordance
145 with Section C105.2.4.

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147 **R105.2.56 Final inspection.**

148 The building shall have a final inspection and shall not be occupied until approved. The final
149 inspection shall include verification of the installation of all required building systems,
150 equipment and controls and their proper operation and the required number of high-efficacy
151 lamps and fixtures.

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154 11. Paragraph R401.2.5, "Additional energy efficiency," of Subsection R401.2,

155 "Application," of Section R401 General," of Chapter 4 [RE], "Residential Energy Efficiency," of

156 the Residential Provisions of the 2021 International Energy Conservation Code is deleted.

157

158 12. Table R402.1.2, "Maximum assembly U-Factors and Fenestration Requirements"

159 of Subsection R402.1, "General," of Section R402, "Building Thermal Envelope," of Chapter 4

160 [RE], "Residential Energy Efficiency," of the Residential Provisions of the 2021 international

161 Energy Conservation Code is amended as follows:

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**TABLE R402.1.2
MAXIMUM ASSEMBLY U-FACTORS^a AND FENESTRATION REQUIREMENTS**

CLIMATE ZONE	FENESTRATION U-FACTOR ^f	SKYLIGHT U-FACTOR	GLAZED FENESTRATION SHGC ^{d,e}	CEILING U-FACTOR	WOOD FRAME WALL U-FACTOR	MASS WALL U-FACTOR ^b	FLOOR U-FACTOR	BASEMENT ^c WALL U-FACTOR	CRAWL SPACE WALL U-FACTOR
0	0.50	0.75	0.25	0.035	0.084	0.197	0.064	0.360	0.477
1	0.50	0.75	0.25	0.035	0.084	0.197	0.064	0.360	0.477
2	0.40	0.65	0.25	0.026 0.029	0.084	0.165	0.064	0.360	0.477
3	0.30 0.32	0.55	0.25	0.026 0.029	0.060	0.098	0.047	0.091 ^c	0.136
4 except Marine	0.30	0.55	0.40	0.024	0.045	0.098	0.047	0.059	0.065
5 and Marine 4	0.30	0.55	0.40	0.024	0.045	0.082	0.033	0.050	0.055
6	0.30	0.55	NR	0.024	0.045	0.060	0.033	0.050	0.055
7 and 8	0.30	0.55	NR	0.024	0.045	0.057	0.028	0.050	0.055

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For SI: 1 foot = 304.8 mm.

- a. Nonfenestration U-factors shall be obtained from measurement, calculation or an approved source.
- b. Mass walls shall be in accordance with Section R402.2.5. Where more than half the insulation is on the interior, the mass wall U-factors shall not exceed 0.17 in Climate Zones 0 and 1, 0.14 in Climate Zone 2, 0.12 in Climate Zone 3, 0.087 in Climate Zone 4 except Marine, 0.065 in Climate Zone 5 and Marine 4, and 0.057 in Climate Zones 6 through 8.
- c. In Warm Humid locations as defined by Figure R301.1 and Table R301.1, the basement wall U-factor shall not exceed 0.360.
- d. The SHGC column applies to all glazed fenestration.
Exception: In Climate Zones 0 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements provided that the SHGC for such skylights does not exceed 0.30.
- e. There are no SHGC requirements in the Marine Zone.
- f. A maximum U-factor of 0.32 shall apply in Marine Climate Zone 4 and Climate Zones 5 through 8 to vertical fenestration products installed in buildings located either:
 - 1. Above 4,000 feet in elevation above sea level, or
 - 2. In windborne debris regions where protection of openings is required by Section R301.2.1.2 of the International Residential Code.

13. Table R402.1.3, "Insulation minimum R-values and fenestration requirements by component" of Subsection R402.1, "General (Prescriptive)," of Section R402, "Building Thermal Envelope," of Chapter 4 [RE], "Residential Energy Efficiency," of the Residential Provisions of the 2021 international Energy Conservation Code is amended as follows:

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**TABLE R402.1.3
INSULATION MINIMUM R-VALUES AND FENESTRATION REQUIREMENTS BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR ^{b, i}	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC ^{b, e}	CEILING R-VALUE	WOOD FRAME WALL R-VALUE ^g	MASS WALL R-VALUE ^h	FLOOR R-VALUE	BASEMENT ^{c, g} WALL R-VALUE	SLAB ^d R-VALUE & DEPTH	CRAWL SPACE ^{c, g} WALL R-VALUE
0	NR	0.75	0.25	30	13 or 0&10ci	3/4	13	0	0	0
1	NR	0.75	0.25	30	13 or 0&10ci	3/4	13	0	0	0
2	0.40	0.65	0.25	49 42	13 or 0&10ci	4/6	13	0	0	0
3	0.30 0.32	0.55	0.25	49 42	20 or 13&5ci^h or 0&15ci^h 19 or 13+3ci ^h or 0+15ci ^h	8/13	19	5ci or 13 ^f	10ci, 2 ft 0	5ci or 13 ^f
4 except Marine	.30	0.55	0.40	60	30 or 20&5ci ^h or 13&10ci ^h or 0&20ci ^h	8/13	19	10ci or 13	10ci, 4 ft	10ci or 13
5 and Marine 4	0.30 ⁱ	0.55	0.40	60	30 or 20&5ci ^h or 13&10ci ^h or 0&20ci ^h	13/17	30	15ci or 19 or 13&5ci	10ci, 4 ft	15ci or 19 or 13&5ci
6	0.30 ⁱ	0.55	NR	60	30 or 20&5ci ^h or 13&10ci ^h or 0&20ci ^h	15/20	30	15ci or 19 or 13&5ci	10ci, 4 ft	15ci or 19 or 13&5ci
7 and 8	0.30 ⁱ	0.55	NR	60	30 or 20&5ci ^h or 13&10ci ^h or 0&20ci ^h	19/21	38	15ci or 19 or 13&5ci	10ci, 4 ft	15ci or 19 or 13&5ci

- 207 For SI: 1 foot = 304.8 mm.
 208 NR = Not Required
 209 ci – continuous insulation
 210 a. *R*-values are minimums. *U*-factors and SHGC are maximums. Where insulation is installed in a cavity that is less than the label or design
 211 thickness of the insulation, the installed *R*-value of the insulation shall be not less than the *R*-value specified in the table.
 212 b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
 213 **Exception:** In Climate Zones 0 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements
 214 provided that the SHGC for such skylights does not exceed 0.30.
 215 c. “5ci or 13” means R-5 continuous insulation (ci) on the interior or exterior surface of the wall or R-13 cavity insulation on the interior side
 216 of the wall. “10ci or 13” means R-10 continuous insulation (ci) on the interior or exterior surface of the wall or R-13 cavity insulation on
 217 the interior side of the wall. “15ci or 19 or 13&5ci” means R-15 continuous insulation (ci) on the interior or exterior surface of the wall;
 218 or R-19 cavity insulation on the interior side of the wall; or R-13 cavity insulation on the interior of the wall in addition to R-5 continuous
 219 insulation on the interior or exterior surface of the wall.
 220 d. R-5 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation *R*-value for slabs.
 221 as indicated in the table. The slab-edge insulation for heated slabs shall not be required to extend below the slab.
 222 e. There are no SHGC requirements in the Marine Zone.
 223 f. Basement wall insulation is not required in Warm Humid locations as defined by Figure R301.1 and Table R301.1.
 224 g. The first value is cavity insulation; the second value is continuous insulation. Therefore, as an example, “13&5” means R-13 cavity
 225 insulation plus R-5 continuous insulation.
 226 h. Mass walls shall be in accordance with Section R402.2.5. The second *R*-value applies where more than half of the insulation is on the
 227 interior of the mass wall.
 228 i. A maximum *U*-factor of 0.32 shall apply in Climate Zones 3 through 8 to vertical fenestration products installed in buildings
 229 located either:
 230 1. Above 4,000 feet in elevation, or
 231 2. In windborne debris regions where protection of openings is required by Section R301.2.1.2 of the *International Residential Code*.

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232 14. Paragraph R402.4.1, "Building thermal envelope," of Subsection R402.4, "Air
233 leakage," of Section R402, "Building thermal envelope," of Chapter 4 [RE], "Residential Energy
234 Efficiency," of the Residential Provisions of the 2021 International Energy Conservation Code is
235 amended by adding Subparagraph R402.4.1.4 "Sampling options for R2 multifamily dwelling
236 units," to read as follows:

237 **R402.4.1.4 Sampling options for R2 multifamily dwelling units.** For buildings with eight or
238 more testing units that must be tested as required by R402.4.1.2 or R402.4.1.3, the greater of
239 seven units or 20 percent of the testing units in the building shall be tested, including a top floor
240 unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit enclosure
241 area. For each tested unit that exceeds the maximum air leakage rate, an additional three units
242 shall be tested, including a mixture of testing unit types and locations. Where buildings have
243 fewer than eight testing units, each testing unit shall be tested.
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245 15. Paragraph R402.4.6 "Electrical and Communication outlet boxes," of Subsection
246 R402.4, "Air leakage," of Section R402 "Building thermal envelope," of Chapter 4 [RE],
247 "Residential Energy Efficiency," of the Residential Provisions of the 2021 International Energy
248 Conservation Code is amended by to read as follows:

249 **R402.4.6 Electrical and communication outlet boxes (air-sealed boxes).** Electrical and
250 communication outlet boxes installed in the building thermal envelope shall be sealed to limit
251 air leakage between conditioned and unconditioned spaces. ~~Electrical and communication~~
252 ~~outlet boxes shall be tested in accordance with NEMA OS 4, Requirements for Air-Sealed~~
253 ~~Boxes for Electrical and Communication Applications, and shall have an air leakage rate of not~~
254 ~~greater than 2.0 cubic feet per minute~~
255 ~~(0.944 L/s) at a pressure differential of 1.57 psf (75 Pa). Electrical and communication outlet~~
256 ~~boxes shall be marked "NEMA OS 4" or "OS 4" in accordance with NEMA OS 4. Electrical~~
257 ~~and communication outlet boxes shall be installed per the manufacturer's instructions and with~~
258 ~~any supplied components required to achieve compliance with NEMA OS 4.~~
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260 16. Subsection R403.3 "Ducts," of Section R403, "Systems," of Chapter 4 [RE],
261 "Residential Energy Efficiency," of the Residential Provisions of the 2021 International Energy
262 Conservation Code is amended by adding a paragraph R403.3.8 "Sampling options for R2

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263 multifamily dwelling units," to read as follows:

264 **R403.3.8 Sampling options for R2 multifamily dwelling units.** For buildings with eight or
265 more testing units that must be tested as required by R403.3.5, the greater of seven units or 20
266 percent of the testing units in the building shall be tested, including a top floor unit, a ground
267 floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested
268 unit that exceeds the maximum duct leakage rate, an additional three units shall be tested,
269 including a mixture of testing unit types and locations. Where buildings have fewer than eight
270 testing units, each testing unit shall be tested.

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273 17. Subsection R403.6 "Mechanical ventilation," of Section R403 "Systems," of
274 Chapter 4 [RE], "Residential Energy Efficiency," of the Residential Provisions of the 2021
275 International Energy Conservation Code is amended by adding a paragraph R403.6.4 "Sampling
276 options for R2 multifamily dwelling units," to read as follows:

277 **R403.6.4 Sampling options for R2 multifamily dwelling units.** For buildings with eight or
278 more testing units that must be tested as required by R403.6.3, the greater of seven units or 20
279 percent of the testing units in the building shall be tested, including a top floor unit, a ground
280 floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested
281 unit that does not meet the minimum ventilation rate, an additional three units shall be tested,
282 including a mixture of testing unit types and locations. Where buildings have fewer than eight
283 testing units, each testing unit shall be tested

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286 18. Subsection R404.2 "Interior lighting controls," of Section R404, "Electrical
287 Power and Lighting Systems," of Chapter 4 [RE], "Residential Energy Efficiency," of the
288 Residential Provisions of the 2021 International Energy Conservation Code is deleted.

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291 19. Subsection R405.2 "Performance-based compliance," of Section R405, "Total
292 building performance," of Chapter 4 [RE], "Residential Energy Efficiency," of the Residential
293 Provisions of the 2021 International Energy Conservation Code is amended to read as follows;

294 **R405.2 Performance-based compliance.** Compliance based on total building performance
295 requires that a *proposed design* meets all of the following:

296 1. The requirements of the sections indicated within Table R405.2.

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- 295 2. The building thermal envelope greater than or equal to levels of efficiency and solar
296 heat gain coefficients in Table R402.1.1 or R402.1.3 of the 2009 *International Energy*
297 *Conservation Code*.
- 298 3. An annual energy cost that is less than or equal to the annual energy cost of the 2021
299 standard reference design or 8% less than the annual energy cost of the 2018 standard
300 reference design. Energy prices shall be taken from a source *approved* by the *code*
301 *official*, such as the Department of Energy, Energy Information Administration's State
302 Energy Data System Prices and Expenditures reports. Code officials shall be permitted
303 to require time-of-use pricing in energy cost calculations.

304 Exception: The energy use based on source energy expressed in Btu or Btu per
305 square foot of *conditioned floor area* shall be permitted to be substituted for the
306 energy cost. The source energy multiplier for electricity shall be 3.16. The source
307 energy multiplier for fuels other than electricity shall be 1.1.
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312 20. Table R406.5 "Maximum Energy Rating Index," of Section R406, "Energy
313 Rating Index Compliance Alternative," of Chapter 4 [RE], "Residential Energy Efficiency," of the
314 Residential Provisions of the 2021 International Energy Conservation Code is deleted and replaced
315 with the following:

316 **"TABLE R406.5¹**
317 **MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52 63
3	52 63

318 ¹This table is effective until August 31, 2022.
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323 **TABLE R406.5²**
324 **MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52 59
3	52 59

325 ²The table is effective from September 1, 2022 to August 31, 2025.
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TABLE R406.5³
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	52 57
3	52 57

333 ³ The table is effective from September 1, 2025 to August 31, 2028

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TABLE R406.5⁴
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	52 55
3	52 55

339 ⁴ This table is effective on or after September 1, 2028.

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21. Section R408 Additional Efficiency Package options,” of Chapter 4 [RE],

343 "Residential Energy Efficiency," of the Residential Provisions of the 2021 International Energy
344 Conservation Code is deleted.

345 22. All chapters of the 2021 International Energy Conservation Code adopted by
346 this ordinance are subchapters of Chapter 59 of the Dallas City Code, as amended.

347 23. All references in the 2021 International Energy Conservation Code to the fire
348 code, building code, plumbing code, mechanical code, electrical code, residential code, existing
349 building code, fuel gas code, and green construction code refer, respectively, to Chapters 16, 53,
350 54, 55, 56, 57, 58, 60, and 61 of the Dallas City Code.

351 **NOTE: HB 3215 was signed into law by the Governor on June 14, 2021 as part of**
352 **the 87th Regular Session Codified in Chapter 388 Texas Building Energy Performance**
353 **Standards: §388.003 (i), (j), and (k). HB 3215 now allows a Home Energy Rating System**
354 **Index (ex. HERS Index) utilizing ANSI/RESNET/ICC Standard 301 (as it existed on January**
355 **1, 2021) shall be considered in compliance with State law provided that:**

- 356 • *The home includes compliance with the Mandatory requirements of 2018 IECC*
357 *Section R406.2.*

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- 358 • *The home includes compliance with Building thermal envelope provisions of Table*
359 *R402.1.2 or Table R402.1.4 of the 2018 IECC*

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361 SECTION 2. That a person violating a provision of this ordinance, upon conviction, is
362 punishable by a fine not to exceed \$2,000. No offense committed and no liability, penalty, or
363 forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be
364 discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities,
365 penalties, and forfeitures may be instituted, and causes of action pending on the effective date of
366 this ordinance may proceed, as if the former laws applicable at the time the offense, liability,
367 penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or
368 superseded, and all former laws will continue in effect for these purposes.

369 SECTION 3. That Chapter 59 of the Dallas City Code, as amended, will remain in full
370 force and effect, save and except as amended by this ordinance. If any provision contained in
371 Chapters 16, 52, 53, 54, 55, 56, 57, 58, 60, or 61 relating to energy conservation work in the city
372 is in conflict with any provision of Chapter 59, as adopted by this ordinance, the provisions of
373 Chapter 59 will prevail, except that any existing structure, system, development project, or
374 registration that is not required to come into compliance with a requirement of this ordinance will
375 be governed by the requirement as it existed in the former law last applicable to the structure,
376 system, development project, or registration, and all former laws will continue in effect for this
377 purpose.

378 SECTION 4. That the terms and provisions of this ordinance are severable and are
379 governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

380 SECTION 5. That this ordinance will take effect on -----, and it is accordingly so

381 ordained.

