

Why Keep A Flawed Building Code?

What's wrong with the City's Energy Conservation Building Code which regulates home building as well as construction of offices, stores and warehouses? In brief, it's flawed and out-of-date.

Currently, Albuquerque has an unconventional energy conservation code shared by no one else in the country. It was passed by the previous administration, and is called the Albuquerque Energy Conservation Code (Albuquerque Code). The current administration, including its building code officials, would like to replace this code with the 2009 International Energy Conservation Code ('09 International Code). Most of the construction and real estate industry agree. We'll discuss 3 reasons why they agree, in terms of both residential and commercial construction, and how this impacts you.

Here's a brief description of the two codes. The '09 International Code was developed by thousands of engineers, architects and contractors nationwide with third-party verification of its energy savings. The current Albuquerque Code is actually based on an older version of the International Code with some local, energy conservation additions. It was developed by a handful of people who did not secure a professional, third-party to verify the energy savings.

Reason one why the City should replace the current code is that it costs significantly more to build homes and commercial buildings on the Albuquerque Code. Recently, contractors and engineers evaluated building costs between the two codes, using both a virtual 25,000 square-foot warehouse and 25,000 square-foot office building. It costs \$90,000 more to build the warehouse on the Albuquerque Code. It costs \$166,000 more to build the office building. In terms of new homes, the Albuquerque Code home typically costs \$4,000 more. The National Association of Homebuilders states that, nationally, for every \$1,000 increase in the price of a home, 246,021 families are priced out of home ownership.

Reason two notes that while the two codes are not comparable in terms of cost, they are comparable in terms of energy savings. Home builders actually modeled the two codes side by side, and confirmed this. The home built on the Albuquerque Code saves about \$3 a month more on energy bills, but, as noted above, it costs about \$4,000 more to build, or a 71.4 year payback. Engineers, architects and contractors also agree that the two codes offer comparable energy savings in offices, stores and warehouses.

Reason three is that the Albuquerque Code has substantial flaws that create problems for builders and owners due to unnecessary mandates and poorly written sections. Due to code requirements, one homeowner, during a recent remodel of his kitchen cabinetry, had to replace all of his year-old *Wolf* appliances with new ones, specifically marked *Energy Star*. The Albuquerque Code also prohibits traditional tar and gravel roofing. During a remodel that disturbs an existing roof, such as skylights, the code requires a homeowner to replace the roof with a reflective membrane, an estimated \$7,500 increase over tar and gravel roofs.

In commercial buildings, the current code requires that lighting be so low in parking areas that it doesn't work for video surveillance to control crime, to name just one example. The code also requires that a window be recessed into the wall or a permanent canopy put above it based on ½ the vertical size of the window. If the window is 6 feet tall, you must set it into the walls 3-feet deep or place a permanent 3-foot canopy above the window. This makes remodels incredibly expensive, and compromises the design of traditional adobe or territorial construction.

Fourteen industry organizations have come together to urge the city to replace the Albuquerque Code with the '09 International Code including both major contractor associations, several union organizations, a number of REALTOR and broker groups, building owner and manager organizations, home builders, an apartment owner and a developer organization.

In summary, adopting the '09 International Code means that Albuquerque gets an up-to-date energy conservation code. We also get a code that permits homes, offices, stores and warehouses to be built more cost efficiently. Plus, the city becomes a competitive place to build new buildings or remodel old ones, allowing us to compete for new jobs and save existing ones.