



## Client Alert



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### **Mandatory Sustainable Building Ordinance Headed for Atlanta City Council Vote**

On December 1, 2009, the Atlanta City Council Community Development / Human Resources Committee voted to forward without a recommendation the proposed Atlanta Sustainable Building Ordinance for a vote by the full Council. The City Council will consider the legislation at its next meeting, December 7, at 1:00 p.m., its last meeting for 2009 and its last meeting under the current administration. If passed, the ordinance will become effective July 2010.

After many months of negotiations and redrafting, the final version of the ordinance mandates that all commercial building, excluding low-rise residential (3 stories and less), small commercial projects (projects less than 5000 square feet or \$250,000 in existing buildings and new construction less than 1500 square feet or \$300,000), and some historic buildings, must meet mandatory "green" milestones. Compliance is phased in over several years, with different phase-in periods for new construction (including "First Tenant Improvements") and for renovations, alterations and other improvements to existing buildings.

At the meeting, the Committee voted down a proposed amendment to include financial incentives for complying with the ordinance. However, the final draft does include the possibility of expedited permitting for projects that comply with the standards ahead of schedule or that exceed the requirements included in the law.

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