

Compliance Standards for Energy Benchmarking in the City of Minneapolis



January 11, 2019

Contents

Covered Property List:	2
Exemptions/Extensions:	2
Benchmarking Requirement	3
Benchmarking Timeline:	3
Compliance Standards:	3
Enforcement Schedule:.....	3
Energy Evaluation Requirement.....	4
Energy Evaluation Timeline:.....	4
Requirement:	4
Target group:.....	4
Exemptions:.....	5
Anticipated Count of Affected Properties:	5

Covered Property List:

Minneapolis Health Department develops a list of affected properties, known as covered properties, using City Assessor’s data. Early each year, this list is published on the City’s [website](#), and covered properties are notified by mail and email.

Covered properties are defined by the summed gross floor area of the buildings contained within the property boundaries. For example, if a property contains two buildings, the gross floor area of the two buildings are added together to define the property size.

Property Type	Class	Property Size (area in square feet)
Non-residential, non-industrial	1	150,000 and greater
	2	100,000 - 149,999
	3	75,000 – 99,999
	4	50,000 – 74,999
Residential	5	150,000 and greater
	6	100,000 - 149,999
	7	75,000 – 99,999
	8	50,000 – 74,999
	9	Less than 50,000

Exemptions/Extensions:

The director may exempt a property owner from the benchmarking requirements if the property owner submits documentation establishing any of the following:

- (1) The property is presently experiencing qualifying financial distress in that the property is the subject of a qualified tax lien sale or public auction due to property tax arrearages, the property is controlled by a court-appointed receiver based on financial distress, the property is owned by a financial institution through default by the borrower, the property has been acquired by a deed in lieu of foreclosure, or the property has a senior mortgage which is subject to a notice of default; or
- (2) The property or areas of the property subject to the requirements of this section have been less than fifty (50) percent occupied during the calendar year for which benchmarking is required; or
- (3) The property does not have a Certificate of Occupation or temporary Certificate of Occupation for all 12 months of the calendar year for which benchmarking is required.

Benchmarking Requirement

Benchmarking Timeline:

- (1) All Class 1 and 2 covered properties by June first, 2014 and by every June first thereafter; and
- (2) All Class 3 and 4 covered properties by June first, 2015 and by every June first thereafter; and
- (3) All Class 5 and 6 covered properties by June first, 2019 and by every June first thereafter; and
- (4) All Class 7 and 8 covered properties by June first, 2020 and by every June first thereafter.

Compliance Standards:

To comply with the benchmarking ordinance, property owners must submit data to the city via ENERGY STAR Portfolio Manager. Incomplete data submission may result in enforcement actions.

Data Field	Compliance Threshold
Minneapolis Building ID**	Include correct ID
Minneapolis Property ID**	Include correct ID
Property Type	Include correct property type
Property Floor area**	Within 25% of Tax Assessor data or provide explanation
Site Energy Use Intensity (EUI)*	EUI's between 25 - 400 kBtu/sq.ft.
ENERGY STAR Score***	Scores 5 - 95
Full calendar year (Jan. 1- Dec. 31) meter data	For electricity, heating fuel and water use
Electricity data	Must be greater than zero
Heating fuel data*	Must be greater than zero
Water data*	Must be greater than zero

*Parking Structures are exempt from EUI thresholds, heating, and water data standards

**City provides this data, but must be entered into Portfolio Manager by the property manager

***Extreme scores will be reviewed for validity

Enforcement Schedule:

Violation/warning notice -Next business day after the June 1, deadline

1st Citation (\$200) - 45 business days between violation notice & first citation

- Aug. 30 Data cut-off date (any data submitted after this date will not be published)
- 2nd Citation (\$400) – 30 business days from 1st citation
- 3rd Citation (\$800) – 30 business days from 2nd citation
- 4th Citation (\$1,600) – 30 business days from 3rd citation
- 5th Citation (\$2,000) – 30 business days from 4th citation

Energy Evaluation Requirement

Energy Evaluation Timeline:

All properties shall submit proof of energy evaluation according to the following schedule:

- (1) All Class 1 and 5 covered properties by June first, 2020 and by every June first thereafter; and
- (2) All Class 2 and 6 covered properties by June first, 2021 and by every June first thereafter; and
- (3) All Class 3 and 7 covered properties by June first, 2022 and by every June first thereafter; and
- (4) All Class 4 and 8 covered properties by June first, 2023 and by every June first thereafter.

Requirement:

Every 5 years, provide proof of ASHRAE level 1 evaluation OR accepted tune-up/recommissioning within the past 5 years as established by the Minneapolis Health Commissioner or their designee. This requirement is only enforced IF there is an option available at no cost to the owner.

Current available utility whole-building evaluation program options are listed below. The City is investigating ways in which commercial building program options may be made cost-free.

Residential Building Programs	Cost	Commercial Building Programs	Cost
Multi-Family Building Efficiency – provides free whole building energy evaluation, free installs, and additional incentives for work completed from recommendations	Free	1. Recommissioning – study completed and rebates available for identified no-and low-cost adjustments	Up to 75% of study costs depending on expected savings, not to exceed \$25,000
		2. Turn Key Services – ASHRAE level 1 evaluation	\$600-\$1,300 depending upon usage
		3. Natural Gas Energy Analysis – inspection of building envelope and installed natural gas equipment	\$50-\$2500 based on facility size

Target group:

Commercial and multi-family buildings that are required to benchmark and have the greatest potential for savings.

Exemptions:

As defined by the Minneapolis Health Commissioner or their designee, properties with demonstrated high performance by meeting at least one of the following standards is exempt from the energy evaluation requirement.

- (1) For properties with ENERGY STAR scores:
 - a. Properties in the top 75% of scores within the city, which will include properties with scores of 75 and greater, are exempt¹.
- (2) For properties without ENERGY STAR scores:
 - a. Properties in the bottom 75% of EUI are exempt.²
- (3) Properties with qualifying green building certifications within past 3 years are exempt. These include [ENERGY STAR](#), [LEED Gold or Platinum](#), [Minnesota B3](#), and others upon review.
- (4) Properties showing evidence of 20% weather-normalized energy use intensity reduction over five (5) years, with an initial baseline year of 2020 are exempt.

Anticipated Count of Affected Properties:

Compliance will start with the largest properties and will be phased in over time for subsequently smaller properties according to this timeline. The 'anticipated residential property' and 'anticipated commercial property' counts shown below represent the total number of properties in those size categories in the city. The 'anticipated residential properties needing an evaluation' and 'anticipated commercial properties needing an evaluation' represent the count of properties that likely will not have a qualifying exemption.

Category (in square feet)	Initial compliance date	Anticipated residential properties	Anticipated residential properties needing evaluation	Commercial properties (private properties only)	Anticipated commercial properties needing evaluation
150,000+	6/1/2020	85	21	154	39
100,000-149,999	6/1/2021	83	21	43	11
75,000-99,999	6/1/2022	73	18	45	11
50,000-74,999	6/1/2023	108	27	48	12

¹ High ENERGY STAR scores correspond with high performance.

² Not all properties can earn an ENERGY STAR score due to their property type among other factors. For those that cannot do so, EUI will be utilized. Low EUIs correspond with high performance.