

From: [Don Wallace](#)
To: [Public Testimony](#)
Subject: Vote No on Ordinance 240434
Date: Monday, May 13, 2024 1:30:54 PM

EXTERNAL: This email originated from outside the kcmo.org organization. Use caution and examine the sender address before replying or clicking links.

Chair Parks-Shaw and members of the Neighborhood, Planning, and Development Committee:

On behalf of the Thomas Hart Benton Group of the Sierra Club Missouri Chapter and its members and supporters in Kansas City, I am writing to ask City Council members to **reject proposed Ordinance 240434**. This legislation will inflict devastating damage to the promises made in the City's Climate Protection & Resiliency Plan. More specifically:

This proposed legislation **precipitously forecloses the needed opportunity to further examine:**

- The impacts of the newly adopted standards of the 2021 IECC on the numbers of building permits
- The reasons for the differing estimates on the incremental building costs necessitated for compliance with these standards.

Section 4 of proposed Ordinance 240434 purports:

- To **delay the adoption of any new iteration of the IECC until 2030.**
- To **give a lobbying group a veto over future adoptions** of energy efficiency standards for its building codes.

At its March 7, 2024, Business Session, this Council discussed the status of the implementation of the 2021 International Energy Conservation Code (IECC). The discussion noted a decrease following a substantial increase in the issuance of New Residential Building Permits. Yet, in the two months leading up to the effective date of October 2023 for the City's 2021 IECC, the numbers were substantially higher than the average monthly number for the years 2021-2022. **This substantial demand for building permits prior to the effective date has likely depleted much of the demand for building permits** in the immediate months after the effective date of the ordinance.

The discussion at this March 7 meeting also deliberated the differing estimates on the additional building costs entailed in the implementation of the 2021 IECC. The **disparity in estimates appeared to arise from an erroneous assumption that there is only one mandated means of compliance** with IECC's requirements, and that further educational efforts could alleviate this misconception.

Ordinance 240434 precipitously dispenses with any need for additional information on these critical issues.

Instead, without supporting evidence of a compelling need, Ordinance 240434 will reverse the city's progress on energy efficiency standards for its building code. Furthermore, this legislation seeks to delay the next adoption of a new energy efficiency code until the year 2030. Ordinance 240434 will render ineffective the City's Climate Protection & Resiliency Plan and its pledges to *"increase building efficiency and health for commercial and public buildings; improve the efficiency, affordability, and durability of homes; ensure climate-ready, efficient construction."*

Beyond these concerns, **Ordinance 240434 will give a lobbying organization veto power** over any future adoption of an energy efficiency code. The veto power arises from the language in Section 4, which asserts:

[A]ll future adoptions of model codes shall include stakeholder meetings which include, at a minimum, the City building official and the Home Builders Association of Greater Kansas City as participants

This language provides a power to the Home Builders Association (HBA) that a "City building official" does not enjoy. While a City official faces repercussions for obstinately refusing to participate, there are no such consequences for the HBA to so refuse to participate. **The process becomes entirely dependent on the whim of**

this organization.

Clearly, as was observed in the Council's March 7, 2024, Business Session more time and more data are needed to assess the impact of the compliance with IECC 2021 on building permit applications. But, in no circumstances can the City cede to a lobbying group a veto power over future adoptions of energy efficiency standards for its building codes. **Ordinance 240434 undermines the promise of the City's Climate Protection & Resiliency Plan** that the interests of the entire Kansas City community and its future generations should be prioritized. For these reasons, **the City Council must reject this proposed Ordinance 240434.**

Thank you for your service,

Don Wallace,
Member, THB Group of Missouri Chapter of Sierra Club
Resident, Sixth District, KCMO

//Cc:

Brian Platt, City Manager
Jeff Williams, Director of City Planning and Development
Jeff Lee, Manager of Plans Review Division of City Planning and Development
Members of KCMO City Council
Mayor Quinton Lucas