

1981 BILL 220

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Third Session, 19th Legislature, 30 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 220

THE ENERGY CONSERVATION BUILDING  
STANDARDS ACT

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MR. COOK

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First Reading .....  
Second Reading .....  
Committee of the Whole .....  
Third Reading .....  
Royal Assent .....

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Bill 220  
Mr. Cook

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### THE ENERGY CONSERVATION BUILDING STANDARDS ACT

(Assented to , 1981)

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

Definitions

**1** In this Act,

- (a) “commercial building” means a building that is used primarily for commercial purposes, including offices and stores and the offering of services to the public;
- (b) “energy rating” means an assessment of the energy efficiency of a building determined in accordance with a formula established by the regulations, taking into account criteria listed in section 2;
- (c) “existing building” means a building that is completed prior to the commencement of this Act;
- (d) “industrial building” means a building used primarily for manufacturing, processing, repairing and warehousing purposes;
- (e) “Minister” means the Minister of Housing and Public Works;
- (f) “new building” means a building that is completed after the commencement of this Act;
- (g) “residential building” means a building that is used primarily for residential purposes.

Energy ratings  
established

**2(1)** The Minister shall establish, by regulation, energy ratings for commercial buildings, industrial buildings and residential buildings which shall be based on

- (a) standards of insulation;
- (b) construction techniques for improved energy efficiency;
- (c) method of heating;
- (d) recovery of heat from air and gas exhaust and waste water effluent from the building;
- (e) ratio of outer surface to enclosed volume;
- (f) average volume of rooms in the building;
- (g) utilization of solar energy;
- (h) any other factor which, in the opinion of the Minister, contributes to the energy efficiency of the building.

(2) Pursuant to subsection (1), the Minister may establish different energy ratings for

- (a) different types of buildings,
- (b) existing buildings,
- (c) new buildings based on the year of construction,
- (d) buildings of different size and purpose,
- (e) in respect of residential buildings, for single dwelling buildings and multi-dwelling buildings,
- (f) buildings located in different climatic zones of the Province established by regulation,

and may phase in energy ratings over a period of time.

Public hearings

**3(1)** Prior to issuing the first complete set of energy ratings pursuant to section 2, the Minister shall publish once in the Alberta Gazette and at least twice in every daily newspaper published in Alberta, a notice to the effect that

- (a) a draft of the proposed regulations may be obtained without charge from a specified address;
- (b) public hearings will be held in Edmonton and Calgary and also in at least one location in every climatic zone established pursuant to section 2(2)(f);
- (c) specifying the place and date, which shall be at least 60 days after the date of the notice, of each hearing;
- (d) stating that requests to present briefs at a hearing are to be

addressed to the Minister and giving an address to which the requests may be sent;

(e) stating that a hearing may be cancelled by the Minister if no requests are received to present briefs at it.

(2) The regulations establishing the first complete set of energy ratings may not come into force under this Act until 30 days after the date of the last public hearing held pursuant to subsection (1).

(3) Nothing in this section requires the Minister to hold a public hearing prior to issuing a regulation which amends or supplements an energy rating, but the Minister may hold a public hearing in such a case if he deems it in the public interest to do so.

Proven technology **4** In establishing an energy rating under this Act, the Minister shall take into account only proven and readily available technology and materials, and shall consider a reasonable balance between expenditure to achieve a standard and the value of energy to be saved by operating within the standard.

Information **5** The Minister may produce and publish information concerning energy conservation building standards and practices.

New buildings to conform **6** No new building may be occupied unless it meets or exceeds the standard set by the energy rating which applies to it.

Gas rebates **7(1)** Notwithstanding *The Natural Gas Rebates Act*, a rebate shall be payable in respect of an existing building only if the building complies with the energy rating that applies to it.

(2) Where the Minister determines that undue hardship may result in the application of subsection (1) to an existing residential building, he may, by order, direct that subsection (1) shall not apply to such a residential building or to a class of such residential buildings for such time as is specified in the order.

Building being upgraded **8** Where the owner of a building has commenced work to improve its energy efficiency pursuant to *The Home Energy Conservation Act*, this Act does not apply to the building until the work has been completed or until the Minister determines that the work has been subjected to unreasonable delay which could have been avoided by the owner of the building.

Regulations **9** The Minister may issue regulations for the purposes of sections 2 and 3 of this Act.

Annual report **10** The Minister shall issue a report of operations under this Act for each year, including the energy ratings that have been established during that year and shall table a copy of the report in the Legislative Assembly at the earliest possible opportunity after it has been completed.

Coming into force **11** This Act comes into force on January 1, 1983.