

APPROVED

JAN 06 2012

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NEBRASKA ADMINISTRATIVE CODE

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Title 107 STATE ENERGY OFFICE

Chapter 4 - LOCAL CODE ADOPTION

APPROVED
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001 Any county, city or village may adopt and enforce a lighting and thermal efficiency ordinance, resolution, code, or standard. Such ordinance, resolution, code or standard shall be deemed equivalent to the Nebraska Energy Code if it does not result in energy consumption greater than would result from the strict application of the Nebraska Energy Code and is reasonably consistent with the intent of Neb. Rev. Stat. § 81-1608 to 81-1626. Any building or portion thereof subject to the jurisdiction of and inspected by such county, city or village shall be deemed to comply with Neb. Rev. Stat § 81-1608 to 81-1626 if it meets the standards of such ordinance, resolution, code or standards. Such county, city or village may by ordinance or resolution prescribe a schedule of fees sufficient to pay the costs incurred pursuant to Neb. Rev. Stat. § 81-1608 to 81-1626.

002 The clerk of a county, city or village which adopts a local code pursuant to this law shall notify the Office of the adoption of such code. The letter of notification shall include:

002.01 the technical basis of the local code,

002.02 the ordinance or resolution number and date of passage, and

002.03 the code jurisdiction limits.

003 Any county, city or village which adopts and enforces a lighting and thermal efficiency ordinance, resolution, code, or standard may waive a specific requirement of the Nebraska Energy Code when meeting such requirement is not economically justified. The following procedures shall apply:

003.01 The local code authority shall submit to the Office its analysis for determining that a specific requirement is not economically justified.

003.02 The Office shall review such analysis and transmit its findings and conclusions to the local code authority within 20 working days of receipt of the submission from the local code authority.

003.03 The local code authority shall submit to the Office its explanation as to how the original code or any revised code addresses the issues raised by the Office. After submission to the Office the local code authority may proceed to enforce its ordinance, resolution, code, or standard.

004 Any county, city or village which adopts and enforces, or is considering adopting and enforcing the Nebraska Energy Code, may request initial technical assistance from the Office. This initial assistance shall include training in building technology and enforcement procedures related to implementation of the Nebraska Energy Code, and the development of training programs suitable for presentation by local government officials, educational institutions, and other persons.

004.01 Subsequent requests for training shall be fulfilled at a fee that pays for the Office's costs for such training.

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