

Excerpt from Renewable Energy Reader Teacher's Manual  
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**Appendix 13**  
**Skills Exercise**  
**Chap. 7—Energy Efficiency**

**Renewable Energy Law**

**Professor DuVivier 2011**

**Energy Efficiency Exercise**

**Assignment**

The fictional city of Whiteton, in Summit County, Colorado, is planning to adopt a mandatory green building program. Whiteton is a mountain community along the I-70 corridor. There are no recycling services currently available in the area. The town has abundant solar and wind resources within its borders, but water supply is a critical concern.

Each person is assigned to argue for one of the following four green-building options:

- 1) International Code Council (ICC)
- 2) LEED
- 3) Passive House
- 4) Creating a unique code system for Whiteton

Anyone not assigned to an argument will serve as a member of city council during the class period. You may trade slots with a classmate, but both must confirm any changes with me.

**During the class period Tuesday, October 18, 2011**

One representative from each of the green-building options will make a 10 minute argument to city council in support of adopting the building code assigned to that group.

Council members (class members who are not making the principal arguments) must be prepared to ask questions and will render a decision by the end of class.

The deliberations and discussion of the options and presentations will be led by the “deputy mayor” and “mayor,” Professor DuVivier and our guest, Carolynne White of Brownstein, Hyatt, Farber, & Schreck, LLP.

**Substantive objective**

Better understanding of how the green building codes vary and some of the concerns in enacting any particular one. The following are helpful sources for this portion of the topic:

MICHAEL GERRARD, THE LAW OF GREEN BUILDING (2011)(on reserve in the law library)

Publications by Carolynne White from her website

<http://www.bhfs.com/People/cwhite>

"Legal and Regulatory Issues in Green Building," CLE presentation, Energy Efficiency and Green Building Issues, CLE in Colorado Inc., April 27, 2010

"The Regulatory Environment for Green Building," presentation, Denver University Law School Land Use Society, October 21, 2009

"Going Green: Legal Concepts and Issues in Green Building," panel presentation, NAIOP, August 19, 2009

"Colorado Local Government Regulation of Land Use for Climate Change," *The Colorado Lawyer*, December 2008, Vol. 37, No. 12

### **Skills objective**

The skills component of this exercise is to learn community deliberation skills such as those required by elected bodies. The following are helpful sources for this portion of the topic:

Gerald E. Dahl, *Advising the Quasi-Judges*, Colorado County Attorneys Association (June 3, 2010)

<http://www.mdkrlaw.com/2010/09/creative-public-meeting-issues-advising-the-quasi-judges/>

Colorado Department of Local Affairs, *Tips on Running a Public Meeting*

<http://www.colorado.gov/cs/Satellite/DOLA-Main/CBON/1251594492971>