

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE DRH60050-LDf-4A (01/12)

Short Title: Promote Green Roofs on Buildings.

(Public)

Sponsors: Representative K. Alexander.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROMOTE GREEN ROOFS IN ORDER TO REDUCE STORMWATER  
3 RUNOFF, MITIGATE THE SIGNIFICANT WARMING THAT OCCURS IN  
4 METROPOLITAN AREAS RELATIVE TO THE SURROUNDING RURAL AREAS,  
5 AND REDUCE ENERGY CONSUMPTION, BY CREATING CERTAIN INCENTIVES  
6 TO INSTALL GREEN ROOFS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 153A-277(a1) is amended by adding a new subdivision to read:

9 "(4) A customer may receive a credit against the customer's schedule of  
10 stormwater fees under this subsection when a building on the property has a  
11 green roof. The amount of the credit under this subdivision shall be based  
12 upon the water retention of the green roof and according to whether the  
13 green roof substantially affects the quantity and quality of the runoff from  
14 the property. The amount of the credit under this subdivision shall not  
15 exceed seventy-five percent (75%) of the customer's schedule of stormwater  
16 fees. As used in this subdivision, 'green roof' has the same meaning as in  
17 G.S. 143-138."

18 **SECTION 2.** G.S. 160A-314(a1) is amended by adding a new subdivision to read:

19 "(4) A customer may receive a credit against the customer's schedule of  
20 stormwater fees under this subsection when a building on the property has a  
21 green roof. The amount of the credit under this subdivision shall be based  
22 upon the water retention of the green roof and according to whether the  
23 green roof substantially affects the quantity and quality of the runoff from  
24 the property. The amount of the credit under this subdivision shall not  
25 exceed seventy-five percent (75%) of the customer's schedule of stormwater  
26 fees. As used in this subdivision, 'green roof' has the same meaning as in  
27 G.S. 143-138."

28 **SECTION 3.** G.S. 162A-9 is amended by adding a new subsection to read:

29 "(a2) A customer may receive a credit against the customer's schedule of stormwater  
30 utility fees under this section when a building on the property has a green roof. The amount of  
31 the credit under this subsection shall be based upon the water retention of the green roof and  
32 according to whether the green roof substantially affects the quantity and quality of the runoff  
33 from the property. The amount of the credit under this subsection shall not exceed seventy-five  
34 percent (75%) of the customer's schedule of stormwater fees. As used in this subsection, 'green  
35 roof' has the same meaning as in G.S. 143-138."



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1           **SECTION 4.** Chapter 105 of the General Statutes is amended by adding a new  
2 section to read:

3 **"§ 105-277.18. Credit for green roofs.**

4       (a) The following definitions apply in this section:

5           (1) Green roof. – Any roof which consists of vegetation and soil, or a growing  
6 medium with a minimum three inch depth, planted over a waterproofing  
7 membrane and its associated components, such as a protection course, a root  
8 barrier, a drainage layer, or thermal insulation and an aeration layer.

9           (2) Qualifying green roof improvements. – The sum of the following amounts  
10 spent for a qualified green roof installed on a building located in this State  
11 owned by the taxpayer:

12           a. Design and construction services, including permit process expenses,  
13 and structural analysis.

14           b. Purchase and installation of irrigation systems, waterproofing,  
15 growing media, vegetation, leak detection systems, and membrane  
16 protection systems.

17           c. Labor costs properly allocable to on-site preparation and installation.

18           d. Monitoring and maintenance activities until vegetation is established,  
19 as well as any monitoring and maintenance plan for the green roof  
20 system if the plan is established for the life of the green roof system.

21           (3) Qualified green roof. – Any green roof, including any retrofit or new  
22 construction green roof, at least fifty percent (50%) of which is a vegetated  
23 green roof system constructed to building code or ASTM standards, where  
24 applicable.

25       (b) Qualifying green roof improvements are designated a special class of property under  
26 Article V, Sec. 2(2) of the North Carolina Constitution, and shall be appraised, assessed, and  
27 taxed in accordance with this section. An owner of qualifying green roof improvements is  
28 entitled to the partial exclusion of ten percent (10%) of the appraised value of the  
29 improvements for the first five taxable years beginning after completion of the qualifying green  
30 roof improvements. After property has qualified for the exclusion provided by this section, the  
31 assessor for the county in which the property is located shall annually appraise the  
32 improvements made to the property during the period of time that the owner is entitled to the  
33 exclusion."

34       **SECTION 5.** G.S. 143-138 is amended by adding a new subsection to read:

35       "(b13) The Code shall include rules pertaining to the construction or renovation of  
36 residential or commercial buildings and structures that facilitate the installation of green roofs  
37 and that coordinate energy and water conservation technologies with green roof technologies.  
38 As used in this subsection, 'green roof' means any roof that consists of vegetation and soil, or a  
39 growing medium with a minimum three inch depth, planted over a waterproofing membrane  
40 and its associated components, such as a protection course, a root barrier, a drainage layer, or  
41 thermal insulation and an aeration layer."

42       **SECTION 6.** Part 1 of Article 18 of Chapter 153A of the General Statutes is  
43 amended by adding a new section to read:

44 **"§ 153A-327. Most urban counties to develop guidelines for green roofs.**

45       (a) The board or commission of any county that ranks in the top 10 of the most  
46 populated counties in the State according to the most recent federal decennial census shall  
47 adopt guidelines that address the installation of green roofs as a means to mitigate the  
48 significant warming that occurs in a metropolitan area relative to the temperatures of the  
49 surrounding rural areas. These guidelines shall meet all of the following requirements:

50           (1) Apply to the installation of green roofs when a building is constructed and as  
51 part of a building retrofit.

- 1           (2)   Apply to residential, commercial, and industrial buildings.  
2           (3)   Provide for the coordination of energy and water conservation technologies  
3                 with green roof technologies.  
4       (b)   As used in this section, 'green roof' has the same meaning as in G.S. 143-138."  
5       **SECTION 7.** Section 4 of this act is effective for taxable years beginning on or  
6 after July 1, 2011, and applies to qualifying green roof improvements made on or after that  
7 date. The remaining sections of this act become effective July 1, 2011.