

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 38 of Title 58.1 an article numbered 11,*
3 *consisting of a section numbered 58.1-3852, relating to local incentives and regulatory flexibility for*
4 *the use of green roofs.*

5 [S 1058]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Chapter 38 of Title 58.1 an article**
9 **numbered 11, consisting of a section numbered 58.1-3852, as follows:**

10 *Article 11.*11 *Local Incentives for Green Roofs.*12 *§ 58.1-3852. Incentives for green roofing.*13 *A. As used in this article, unless the context clearly shows otherwise, the term or phrase:*14 *"Green roof" means a solar roof or a vegetative roof.*

15 *"Solar roof" means a solar roofing system that generates reusable energy, which reusable energy*
16 *accounts for at least 2.5 percent of the total electric energy used by the building to which the solar*
17 *roofing system is attached.*

18 *"Vegetative roof" means a roofing system designed in accordance with the Virginia Stormwater*
19 *Management Program's standards and specifications for green roofs, as set forth in the Virginia*
20 *Stormwater BMP Clearinghouse, in which at least 50 percent of the total roofing area is vegetative.*

21 *B. Any county, city, or town may, by ordinance, grant incentives or provide regulatory flexibility to*
22 *encourage the use of green roofs in the construction, repair, or remodeling of residential and*
23 *commercial buildings. Any such incentive or regulatory flexibility shall require that green roofs be used.*

24 *C. The incentives or regulatory flexibility may include, but shall not be limited, to (i) a reduction in*
25 *permit fees when green roofs are used, (ii) a streamlined process for the approval of building permits*
26 *when green roofs are used, or (iii) a reduction in any gross receipts tax on green roof contractors as*
27 *defined by the local ordinance.*

28 *D. The extent and duration of the incentives or regulatory flexibility shall conform to the*
29 *requirements of the Constitutions of Virginia and of the United States.*

30 **2. That until such time as standards and specifications for vegetative roofing systems are set forth**
31 **in the Virginia Stormwater BMP Clearinghouse, this act shall not preclude the use of**
32 **containerized vegetative roofing systems designed in accordance with other standards and**
33 **specifications from qualifying for the incentives for green roofing.**

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