

BEND CLIMATE ACTION ORDINANCE:

AN ORDINANCE CONCERNING CLIMATE ACTION AND ADOPTING A NEW CHAPTER 5.60 IN TITLE 5, PUBLIC PROTECTION, OF THE BEND MUNICIPAL CODE

FINDINGS

A. As climate change occurs due to human-caused greenhouse gas (GHG) emissions, the Pacific Northwest will experience a considerable amount of variation in temperature and precipitation.¹ This will impact our local environment, economy, and community while affecting all sectors including water and other natural resources, agriculture, and recreation/tourism.

B. This ordinance is based on the best available science of climate change and its present and future impact on the environment and on human economies, across the globe and here in Oregon. Specifically, this ordinance is a direct effort to contribute to climate stabilization and recovery and to respond to the present and future adverse impacts climate change poses to our health and safety, our environment, and our local and global economies.

C. Meaningful action is needed at all levels of government to mitigate and adapt to climate change, protect the public trust, effectuate climate stabilization and recovery, ensure a resilient community, and leave a healthy environment and atmosphere for future generations. The City of Bend is ready to do its part, and will engage its residents, visitors, businesses and organizations, as well as all other levels of government, to do the same.

D. By this ordinance, the City of Bend commits itself to achieving specific greenhouse gas (GHG) emission reduction goals for Bend. These goals are consistent with the best available science which seeks to reduce atmospheric greenhouse gas (GHG) concentrations to levels that will hold the global average temperature rise to well below two degrees Celsius above pre-industrial levels and, to the extent possible, limit the temperature increase to 1.5°C above

¹ Current sources for the science of climate change and its likely impacts on the Pacific Northwest include:

- IPCC, 2014: Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 151 pp.
- Melillo, Jerry M., Terese (T.C.) Richmond, and Gary W. Yohe, Eds., 2014: Climate Change Impacts in the United States: The Third National Climate Assessment. U.S. Global Change Research Program, 841 pp. doi:10.7930/J0Z31WJ2
- Dalton, M.M., P.W. Mote, and A.K. Snover [Eds.]. 2013. Climate Change in the Northwest: Implications for Our Landscapes, Waters, and Communities. Washington, DC: Island Press.
- Abatzoglou, J. T., D. E. Rupp, P. W. Mote. 2014. Seasonal climate variability and change in the Pacific Northwest of the United States. *Journal of Climate*, 27, 2125-2142, doi: 10.1175/JCLI-D-13-00218.1.
- Vano, J. A., B. Nijssen, and D. P. Lettenmaier. 2015. Seasonal hydrologic responses to climate change in the Pacific Northwest. *Water Resources Research*, 51, 1959-1976, doi:10.1002/2014WR01590

pre-industrial levels.² The City recognizes that the goals established in this ordinance may need to be adjusted in the future.

E. GHG reductions will be derived from a baseline starting point against which the City can measure its progress towards achieving the reduction goals set forth in this ordinance.

F. To achieve the goals set forth in this Ordinance, the City will:

1. Be guided and directed by Climate Action Plans, which will be created and developed collaboratively by the City of Bend and Bend residents. The City will regularly monitor and report on progress toward meeting the prescribed reductions, and adaptations and mid-course corrections can and should be made, as needed.
2. Establish partnerships with other governments, educational institutions and charitable and nonprofit organizations as needed to fund, implement and achieve the long-term goals of this ordinance.

Based on these findings, **THE CITY OF BEND ORDAINS AS FOLLOWS:**

Section 1. Bend Code Title 5 is amended by adding a new Chapter 5.60, to read as follows:

5.60.050 CLIMATE ACTION – CLIMATE ACTION GOALS. The City shall carry out the requirements of this chapter to achieve the following reductions:

A. By the year 2030 all City of Bend government operations and facilities will be Carbon Neutral, defined as zero net emissions of greenhouse gases (GHGs) and measured by metric tons of carbon dioxide equivalent (MTCO₂E)³. The City will achieve this objective by directly reducing City GHG emissions to zero, by incentivizing verifiable local GHG reduction projects and programs, or, if necessary, by using verifiable GHG offsets for any remaining emissions, with first priority for offsets going to projects in Central Oregon, the state of Oregon, or the Pacific Northwest states.

B. By 2030 the City of Bend government shall reduce its fossil fuel use by 40% and by 2050 the City shall reduce its fossil fuel use by 70%. Fossil fuel usage from 2010, or more recent years, shall be used to establish a baseline for both of these targets.

² Sources for science-based goals for greenhouse gas reductions include:

IPCC, 2014: Summary for Policymakers. In: Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Edenhofer, O., R. Pichs-Madruga, Y. Sokona, E. Farahani, S. Kadner, K. Seyboth, A. Adler, I. Baum, S. Brunner, P. Eickemeier, B. Kriemann, J. Savolainen, S. Schlömer, C. von Stechow, T. Zwickel and J.C. Minx (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

UN Framework Convention on Climate Change, 2015: Paris Climate Agreement, Draft Decision, Page 2, lines 7-12.

Hansen J, Kharecha P, Sato M, Masson-Delmotte V, Ackerman F, et al. (2013) Assessing “Dangerous Climate Change”: Required Reduction of Carbon Emissions to Protect Young People, Future Generations and Nature. PLoS ONE 8(12): e81648. doi:10.1371/journal.pone.0081648

³ A carbon dioxide equivalent (CO₂E) is the unit used to report greenhouse gas emissions or reductions. GHG emissions are converted to CO₂E by multiplying emissions by their respective global warming potential. The CO₂E provides a standardized value for reporting and comparing GHG emissions.

C. By 2030 all businesses, local governmental entities and individuals living or working in the city shall (collectively) reduce the city's per capita fossil fuel use by 40%, and by 70% by 2050. Fossil fuel usage from 2010, or more recent years, shall be used to establish a baseline for both of these targets.

5.60.010 CLIMATE ACTION – CLIMATE ACTION COMMISSION. By [insert date which is fifteen months after adoption of code]], the City shall establish a permanent Climate Action Commission (CAC) as a council commission set forth in Section 1.20.100 of the Bend Municipal Code.

5.60.020 CLIMATE ACTION – CLIMATE ACTION PLANS.

A. The following Climate Action Plans shall be developed by the Climate Action Commission and recommended to the City Council for formal adoption:

1. By [insert date which is twenty-four (24) months after adoption of this code], a Climate Action Plan for City Operations (CAP-CO), which will include specific and measurable 5-year objectives to guide and direct the City in achieving the reductions prescribed in this ordinance.
2. By [insert date which is thirty-six (36) months after adoption of code], a Climate Action Plan for the Community (CAP-C), which will include specific and measurable 5-year objectives to guide and direct the entire residential and commercial Bend community in achieving the reductions prescribed in this ordinance.

B. Each Climate Action Plan will include benchmarks, targets, policies, and actions consistent with the best available science⁴ and designed to achieve the reductions set forth in Section 5.60.050 of this chapter.

C. Each Climate Action Plan will include specific and measurable objectives for each five-year period that will ensure achievement of the Climate Action Goals on the timeline set forth in Section (A) above.

D. All Climate Action Plans must be approved by the Climate Action Commission before being recommended to the City Council for formal adoption.

E. Once the Climate Action Commission has made a recommendation to the City Council for formal adoption of a Climate Action Plan, the City Council shall act on such adoption within ninety (90) days. Should the City Council vote against adopting a Climate Action Plan

⁴ Current sources for science-based goals for greenhouse gas reductions include:

IPCC, 2014: Summary for Policymakers. In: Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Edenhofer, O., R. Pichs-Madruga, Y. Sokona, E. Farahani, S. Kadner, K. Seyboth, A. Adler, I. Baum, S. Brunner, P. Eickemeier, B. Kriemann, J. Savolainen, S. Schlömer, C. von Stechow, T. Zwickel and J.C. Minx (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. UN Framework Convention on Climate Change, 2015: Paris Climate Agreement, Draft Decision, Page 2, lines 7-12.

Hansen J, Kharecha P, Sato M, Masson-Delmotte V, Ackerman F, et al. (2013) Assessing “Dangerous Climate Change”: Required Reduction of Carbon Emissions to Protect Young People, Future Generations and Nature. PLoS ONE 8(12): e81648. doi:10.1371/journal.pone.0081648

recommended by the CAC, the City Council shall adopt a revised or alternative Climate Action Plan, in accordance with the best available science, within one hundred and twenty (120) days, as time is of the essence.

F. Once a Climate Plan is adopted, the City Manager will take the necessary steps to implement the Plan, including but not limited to integrating the Plan and its components into all city government operations, projects, operating plans, procedures and other decision-making processes.

5.60.030 CLIMATE ACTION – CLIMATE ACTION PROGRAM AND STAFFING. The City will establish a Climate Action Program, under the City Manager, with adequate and dedicated staffing to achieve the goals of this chapter and to accomplish the following

- A. Lead the development of a Climate Action Plan for City Operations (CAP-CO) and a Climate Action Plan for the Community (CAP-C).
- B. Provide lead city staff for the Climate Action Commission.
- C. Assist the City Manager with the implementation of all Climate Action Plans.
- D. Monitor and report internally on all Climate Action Plans, including making recommendations to the Commission for changes to the Plans as needed and based on the best available science to ensure the goals of this chapter will be met.
- E. Issue a public report every two years on progress made on all Climate Action Plans.
- F. Track and report progress towards achieving the reductions prescribed in this chapter.
- G. Work to integrate Climate Action Plans into all city operations, projects and operating plans and coordinate and interface with other City staff and departments to ensure integration.
- H. Evaluate all future City policies to ensure they are compatible with achieving the goals of this ordinance and all Climate Action Plans and provide input to City staff and Council on such compatibility.
- I. Assist in developing and maintaining key partnerships that support achievement of the goals of this chapter.

5.60.040. ENFORCEMENT. This chapter is not subject to the ordinary procedures for the enforcement of City ordinances through civil infraction procedures. The City may use any other procedure for enforcement authorized by State law through appropriate action in circuit courts.

This ordinance takes effect on _____, 2016.

First Reading: _____, 2016

Second Reading and Adoption By Roll Call Vote: _____, 2016

YES:

NO:

Jim Clinton, Mayor

Attest:

Robyn Christie, City Recorder

Approved as to form:

Mary A. Winters, City Attorney

DRAFT