



Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850-4166
Phone: 311 in Montgomery County or (240) 777-0311
Fax (240)-777-6262
<http://montgomerycountymd.gov/permittingservices/>



Green Buildings Law Modification Procedure

Request to modify Montgomery County's Green Buildings Law

A modification to Montgomery County's Green Building Law may be requested in the event that you wish to use an alternative energy and environmental design standard to comply with the Green Buildings Law; or, you wish to have the requirements of that law waived or modified due to impracticality or undue hardship.

To request a Green Buildings Law modification, you must fill in the attached [Green Buildings Law Modification Request form](#) completely. You should provide as much information as possible about the alternative standard that you wish to use which should include a comparison between the proposed standard and the benchmark standard. In the situation where you wish the requirements of the law to be waived or modified, you should explain the practical difficulties or undue burden that is caused in complying with the law. In addition, you should discuss how the public interest will be served if the waiver or modification is approved.

When submitting the request, you should document your case with plans, details, technical data, etc., to illustrate the nature and extent the practical difficulty or the equivalence of the alternative standards. Photographs of existing conditions may also be included as exhibits.

In accordance with [Executive Regulations\(ER\) 11-08](#), you must pay a filing/hearing fee of **\$260.00**. This fee applies to each modification requested and is due when you submit the request.

An additional **5%** [Automation Enhancement Fee](#) is charged on the cost(s) listed above.

Requests for Green Buildings Law Modifications will be heard monthly. To get on the schedule for a particular month, completed requests for a Green Buildings Law Modification shall be submitted by 3:00PM on the 1st of the month. In the event that the 1st of the month is on a weekend day or a holiday, the completed requests shall be submitted on the first workday after the 1st of the month by 3:00PM

The Green Buildings Law Modification Advisory Committee conducts hearings on the first **Wednesday** on or after the 12th of the month. In the event that that Wednesday is a holiday, the hearings will be conducted on the Thursday of that week.

Although your appearance at the hearings is not compulsory, the committee strongly urges attendance by the applicant or representative(s) to ensure the clearest possible understanding of the case. Where the modification involves alternative design solutions, attendance by a registered design professional is mandatory.

Green Buildings Law Modification cases are heard in the order received and will be allotted 30 minutes each for presentation and discussion. At the conclusion of the hearings, the committee deliberates each case and prepares a written recommendation for review and approval by the building official.

Depending on caseloads, a written decision signed by the division manager will be prepared in about two weeks and mailed to the applicant; at your request, a facsimile copy of the decision can be transmitted.

If you have further questions about the modification process, please call 311 in Montgomery County or 240-777-0311 outside Montgomery County.