

RESOLUTION #6-R-23

Addition of Bird Safe Glass requirements to Appleton Municipal Code

SUMMARY resolution to add language to the Municipal building code which requires all future construction to analyze and address bird strike risk of large reflective glass surfaces, and also directs the City to evaluate and remediate existing window surfaces on public buildings which meet a certain threshold for bird strike risk and apply reasonable safely measures to these surfaces by 2025.

Submitted By: Alderperson Schultz - District 9, Alderperson Meltzer - District 2, Alderperson Del Toro, District 4.

Date: June 7, 2023

Referred To: Community & Economic Development Dept., Parks, Recreation & Facilities Dept. & Legal Services Dept.

WHEREAS, according to the Audubon Society, up to a billion birds die annually from collisions with windows in our buildings, with research showing that between 54-76% of window collisions are fatal, and;

WHEREAS, such deaths are entirely avoidable by incorporating bird-friendly glass, glass films which are readily available, affordable and nearly impossible to distinguish by humans, while being almost completely safe for birds, and

WHEREAS, the City of Appleton was designated a official Bird City in 2017 and has been recognized for its continuing work to support and sustain urban avian populations, and

WHEREAS, a significant number of urban commercial and residential buildings in Appleton incorporate large panes of glass with the capacity to injure or kill birds at a time when bird-friendly glass and glass film alternatives are widely available, yet may not have been available, considered cost-prohibitive or not even considered during construction, and

WHEREAS, on Aug. 4, 2020, the Madison Common Council unanimously adopted Wisconsin's first bird-friendly building ordinance which requires large new construction and expansion projects to use bird-safe strategies and materials, a template for developing bird-safe glass ordinance language, (Addendum A), now, therefore

BE IT RESOLVED, that the City of Appleton is hereby directed to develop and adopt new ordinance language to incorporate bird-safe glass building requirements and define acceptable window glass or glass treatments for any new construction of façades with a certain percentage of window area, and

BE IT FURTHER RESOLVED, that the City of Appleton include educational language on its website to inform and compel non-public entities, businesses and urban residential housing managers and owners whose existing buildings have glass panes which meet the bird-strike risk criteria, to do the same, and

BE IT FURTHER RESOLVED, that the City of Appleton evaluate and identify all public buildings with existing glass panes at heights and of surface areas which pose a danger for birds and then apply glass safety films or other bird-strike abatement measures over time:

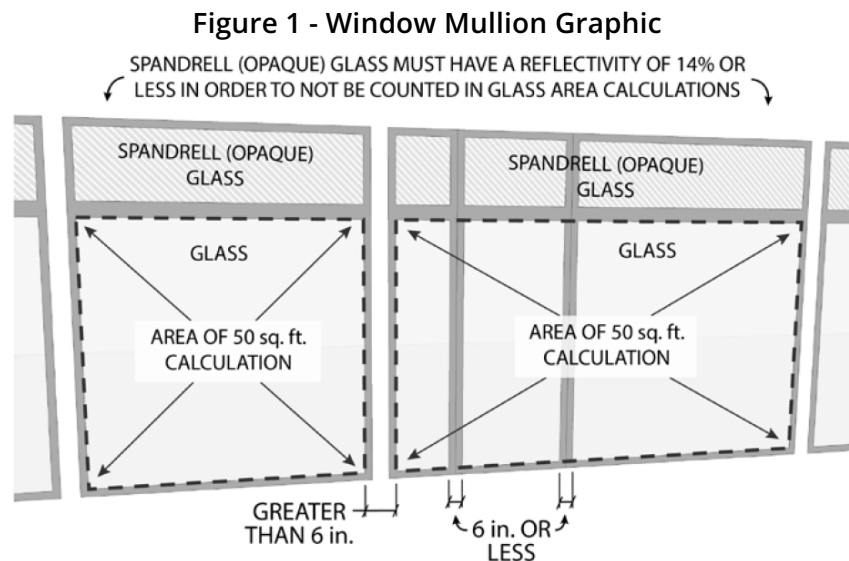
a. Anytime such a window is replaced in an existing building, it should be replaced with bird-friendly glass or treated with a glass film or abatement application alternative;

b. All such windows must be retrofired using bird-friendly glass or alternatives by 2025.

Alder Schultz - District 9
Alder Meltzer – District 2
Alder DelToro – District 4

28.129 - BIRD-SAFE GLASS REQUIREMENTS.

- (1) Statement of Purpose. The Bird-Safe Glass Requirements in this section are intended to reduce the heightened risk for bird collisions with glass on specified building designs and configurations.
- (2) Applicability. Subsection (4) applies to all exterior construction and development activity, including the expansion of existing buildings and structures, as specified therein.
- (3) Measuring Glass Area. Under this Ordinance, glass area shall be measured as one (1) continuous panel of glass or other transparent material, or a set of two (2) or more such panels divided by mullions of six (6) inches in width or narrower. Panels surrounded on all sides by solid walls or mullions wider than six (6) inches shall be considered individual windows. Spandrel or opaque glass with reflectivity of 14% or less shall not be included in the calculation of glass area. See Revised Figure 1. (Am by ORD-21-00073, 11-17-21)



- (4) Bird-Safe Glass Treatment Requirements. Glass areas on the following buildings or structures shall be treated to reduce the risk of bird collisions by incorporating a pattern of visual markers that are either: a) dots or other isolated shapes that are $\frac{1}{4}$ " in diameter or larger and spaced at no more than a two-inch (2") by two-inch (2") pattern; or b) lines that are $\frac{1}{8}$ " in width or greater and spaced no more than 2" apart; low reflectance opaque materials; building-integrated structures like non-glass double-skin facades, metal screens, fixed solar shading, exterior insect screens, and other features that cover the glass surface; or other similar mitigation treatments approved by the Zoning Administrator.
 - (a) Buildings or structures over 10,000 square feet. For any building or structure over 10,000 square feet in size (floor area of above-grade stories), bird-safe glass treatment is required as follows:
 1. For building façades where the first sixty (60) feet (see REVISED Figure 2) from grade

are comprised of greater than or equal to fifty percent (50%) glass:

- a. At least eighty-five percent (85%) of the glass must be treated; and
 - b. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. See Figure 3.
2. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass:
 - a. At least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated; and
 - b. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated.
 3. All glass railings must be treated.
 4. All glass on enclosed building connections shall be treated up to sixty (60) feet above-grade.
- (b) Sky-bridges. For buildings and structures of any size, all glass on above-ground bridges must be treated.
- (c) At-grade glass. For buildings and structures of any size, all at-grade glass features such as sound walls or glass screens must be treated."
- (5) This Ordinance shall become effective on October 1, 2020.

Figure 2 - 60 ft. Graphic

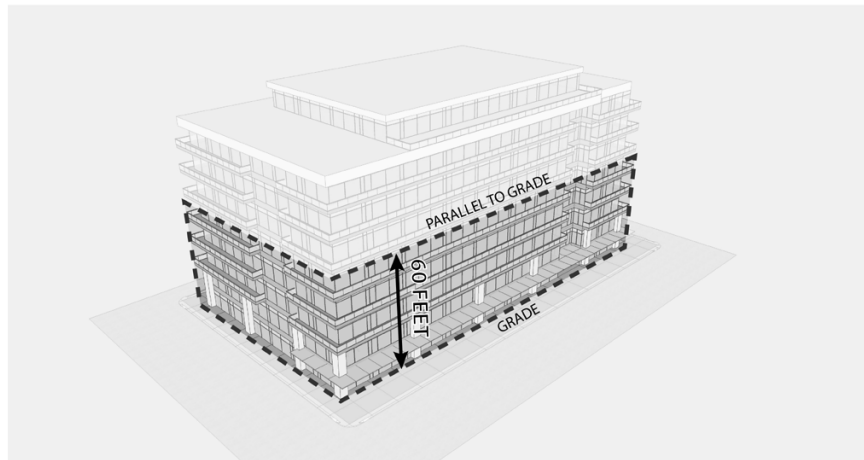
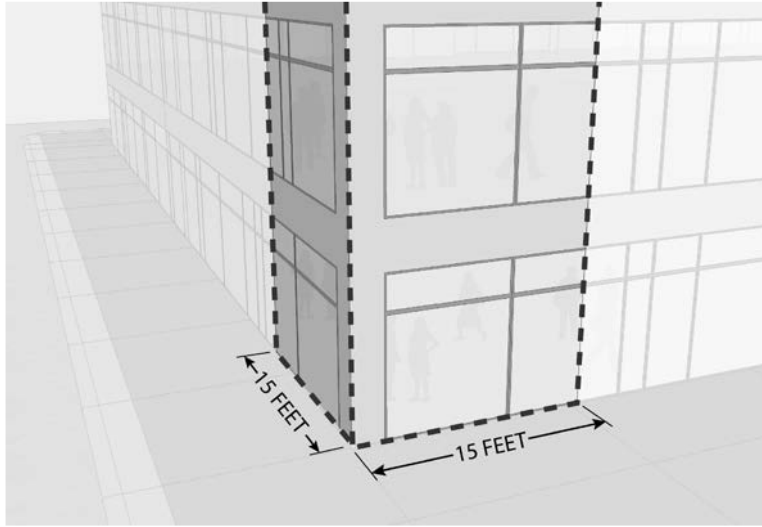


Figure 3 - Glass Corner Graphic



(Cr. by ORD-20-00069, 8-14-20)