



Legislation Details (With Text)

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**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Housing and Buildings

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**Title:** A Local Law to amend the administrative code of the city of New York, in relation to energy efficiency in commercial buildings.

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**Indexes:**

**Attachments:** 1. Int. No. 266 - 6/9/10, 2. Committee Report 6/22/10, 3. Hearing Testimony 6/22/10 - Bomee Jung, 4. Hearing Testimony 6/22/10, 5. Hearing Transcript 6/22/10, 6. Committee Report 9/28/10, 7. Committee Report - Stated Meeting, 8. Fiscal Impact Statement, 9. Mayor's Letter, 10. Hearing Transcript - Stated Meeting 9-29-10, 11. Local Law 48

Date	Ver.	Action By	Action	Result
6/9/2010	*	City Council	Introduced by Council	
6/9/2010	*	City Council	Referred to Comm by Council	
6/22/2010	*	Committee on Housing and Buildings	Hearing Held by Committee	
6/22/2010	*	Committee on Housing and Buildings	Laid Over by Committee	
9/28/2010	*	Committee on Housing and Buildings	Hearing Held by Committee	
9/28/2010	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
9/28/2010	*	Committee on Housing and Buildings	Amended by Committee	
9/28/2010	A	Committee on Housing and Buildings	Approved by Committee	Pass
9/29/2010	A	City Council	Approved by Council	Pass
10/6/2010	A	Mayor	Hearing Held by Mayor	
10/6/2010	A	Mayor	Signed Into Law by Mayor	
10/6/2010	A	City Council	Recved from Mayor by Council	

Int. No. 266-A

By Council Members Garodnick, Barron, Brewer, Gonzalez, James, Lander, Palma, Vann, Williams, Mark-Viverito, Lappin, Van Bramer, Recchia, Chin, Weprin, Gennaro, Jackson, Fidler, Crowley, Koppell, Levin, Reyna, Rodriguez and Rose

A Local Law to amend the administrative code of the city of New York, in relation to energy efficiency in

commercial buildings.

Be it enacted by the Council as follows:

Section 1. Section 28-1001.2 of the administrative code of the city of New York is amended to read as follows:

## **Chapter 2 - Definitions**

**202** Add a new definition of “Occupant sensor” after the definition of “Nameplate horsepower,” to read as follows:

**OCCUPANT SENSOR.** A device that detects the presence or absence of people within an area and causes lighting, equipment, or appliances to be regulated accordingly.

Add a new definition of “Photosensor” after the definition of “Occupant sensor,” to read as follows:

**PHOTOSENSOR.** A device that detects the presence of visible light.

## **Chapter 5 - Commercial Energy Efficiency**

**501.1** Delete the last sentence and replace with the following: These commercial buildings shall meet either the requirements of ASHRAE/IESNA Standard 90.1, *Energy Standard for Buildings Except for Low-Rise Residential Buildings*, as modified for New York City by Appendix A of this code, or the requirements contained in this chapter.

**505.2.2.2** After the Exception, add a new paragraph to read as follows:

In addition to the above requirements, for the following spaces, sensors and controls, including an occupant sensor, shall be installed that only enable lighting to be turned on by manual control, that automatically turn lighting off within a maximum of 30 minutes of all occupants leaving a space, and that enable lighting to be turned off by manual control. Such sensors and controls shall not have an override switch that converts from manual-on to automatic-on functionality. The occupant sensor may have a grace period of up to 30 seconds to turn on the lighting automatically after the sensor has turned off the lighting if occupancy is detected:

1. classrooms (not including shop classrooms, laboratory classrooms, and preschool classrooms),
2. conference/meeting rooms,
3. employee lunch and break rooms, and
4. offices smaller than 200 square feet (18.5 m<sup>2</sup>) in area.

Exception: offices smaller than 200 square feet (18.5 m<sup>2</sup>) in area equipped with lighting controls activated by photosensor.

## **Chapter 6 - Referenced Standards**

Add at end of the first paragraph the following:

Refer to the rules of the department for any subsequent additions, modifications or deletions that may have been made to the referenced standards set forth herein in accordance with Section 28-103.19 of the *Administrative Code*.

Add to section titled, "ASHRAE," after the row heading "90.1-2007" the following symbol: ‡

Add at end of section titled "ASHRAE" a footnote to read as follows: ‡ As modified in Appendix A

## **Appendix A - Modified Energy Standard**

Add a new Appendix A after chapter 6 and before the Index to read as follows:

### **APPENDIX A**

### **MODIFIED ENERGY STANDARD FOR BUILDINGS, EXCEPT FOR LOW-RISE RESIDENTIAL BUILDINGS**

#### **SECTION ECC A101**

#### **SCOPE**

**A101.1 Scope.** This appendix provides the modifications to the nationally recognized standard ASHRAE/IESNA Standard 90.1 *Energy Standard for Buildings Except for Low-Rise Residential Buildings*, governing commercial energy efficiency. Where a referenced publication has been modified for the City of

New York as by the *New York City Construction Codes* and the *New York City Energy Conservation Code*, every reference to such publication shall be deemed to include all such modifications.

## **SECTION ECC A102**

### **ENERGY STANDARD FOR COMMERCIAL BUILDINGS**

**A102.1 General.** The standards for energy efficiency in commercial buildings, as defined in Section 202 of this code, shall be in accordance with Chapter 5 of this code or in accordance with ASHRAE/IESNA Standard 90.1 *Energy Standard for Buildings Except for Low-Rise Residential Buildings*, modified for New York City as follows. Refer to the rules of the department for any subsequent additions, modifications or deletions that may have been made to this standard in accordance with Section 28-103.19 of the *Administrative Code*.

## **Chapter 9 - Lighting**

**9.4.1.2** Delete paragraph (a) of Section 9.4.1.2 and replace with the following:

- a. For the following spaces, sensors and controls, including an occupant sensor, shall be installed that only enable lighting to be turned on by manual control, that automatically turn lighting off within a maximum of 30 minutes of all occupants leaving a space, and that enable lighting to be turned off by manual control:
1. classrooms (not including shop classrooms, laboratory classrooms, and preschool classrooms),
  2. conference/meeting rooms,
  3. employee lunch and break rooms, and
  4. offices smaller than 200 square feet (18.5 m<sup>2</sup>) in area.

Such occupant sensor shall not have an override switch that converts from manual-on to automatic-on functionality. The occupant sensor may have a grace period of up to 30 seconds to turn on the lighting automatically after the sensor has turned off the lighting if occupancy is detected.

Exception: offices smaller than 200 square feet (18.5 m<sup>2</sup>) in area equipped with lighting controls activated by photosensor.

§2. This local law shall take effect on December 28, 2010, except that the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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