



Legislation Text

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By Council Members Crowley, Levine, Rose, King, Rodriguez, Constantinides and Cohen

A Local Law to amend the administrative code of the city of New York, in relation to elimination of permit and or filing fees for green building projects undertaken on one to four family homes.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that our society needs energy sources to meet our demands that are sustainable, environmentally friendly, affordable, and that contribute to energy independence. Green building projects include the use of renewable energy and natural or recycled building materials. Renewable energy sources have the potential to meet our energy needs into the future without damaging air quality or adding to greenhouse gas emissions which exacerbate climate change. Solar energy, wind energy, geothermal energy and energy from biomass are desirable forms of energy because they are renewable, almost pollution free and would reduce greenhouse gas emissions. By contrast, our current energy consumption patterns leave us vulnerable to energy instability and climate change.

The Council further finds that green building or renovation projects can help small building owners meet some of their energy needs and building maintenance costs. Use of renewable energy is cleaner and cheaper, because there is no fuel cost, as well as more sustainable and it provides greater energy security. However existing Building Code provisions and policies make it unduly burdensome to undertake green building or renovation projects on one to four family homes. For example, the permit fee alone can be as much as ten percent of the project cost, which can be substantial for a small building owner. Therefore the Council finds that it is in the best interests of the City to remove this impediment to green building and construction projects so as to further incentivize installation of green building or renovation projects on one to four family

homes.

§ 2. Section 28-101.5 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding, in appropriate alphabetical order, a new definition of “GREEN BUILDING PROJECT” to read as follows:

GREEN BUILDING PROJECT. A building project or renovation undertaken on one to four family homes that, when implemented, will produce an increase in energy efficiency or water efficiency. This may include installation of renewable energy sources such as biomass, solar energy, geothermal ground source heat pumps or wind energy systems, and/or the use of natural building materials and passive designs but shall not include the use of coal, natural gas, oil or propane.

§ 3. Section 28-112.6.1 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding a new exception 3 to read as follows:

3. No fee shall be required in connection with an application for a building permit for a green building project.

§ 4. This local law shall take effect ninety days from enactment and shall be applicable to any construction documents pending before the department of buildings on such effective date and the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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