



Legislation Text

File #: Int 0756-2008, Version: *

Preconsidered Int. No. 756

By Council Members Gennaro, Avella, Brewer, Fidler, James, Koppell, Liu, Mark-Viverito, McMahon, Recchia Jr., Sanders Jr., Weprin, White Jr., Yassky, Monserrate, Nelson, Lappin, Vallone Jr., Gonzalez, Foster, Vacca, Martinez, Gioia, Garodnick, Rivera, Eugene, de Blasio, Jackson, Gentile, Katz, Mealy, Sears, Felder, Palma, Comrie and The Public Advocate (Ms. Gotbaum).

A Local Law to amend the administrative code of the city of New York, in relation to reducing greenhouse gas emissions and the repeal of local law number 55 for the year 2007.

Be it enacted by the Council as follows:

Section 1. Local law number 55 for the year 2007 is hereby REPEALED.

§2. Title 24 of the administrative code of the city of New York is amended by adding a new chapter 8 to

read as follows:

CHAPTER 8

NEW YORK CITY CLIMATE PROTECTION ACT

§24-801 Short title.

§24-802 Definitions.

§24-803 Reduction of greenhouse gas emissions that contribute to global warming.

§24-804 Education and outreach.

§24-805 Annual report.

§24-801 Short title. This chapter shall be known and may be cited as the “New York City Climate Protection Act”.

§24-802 Definitions. For purposes of this chapter only, the following terms shall have the following meanings:

- a. “Base year for citywide emissions” means calendar year 2005.
- b. “Base year for city government emissions” means fiscal year 2006.
- c. “Carbon dioxide equivalent” means the metric measure used to compare the emissions of various greenhouse gases based upon their global warming potential as defined in the Intergovernmental Panel on Climate Change Second Assessment Report (1996).
- d. “City government emissions” means greenhouse gas emissions attributable to city government operations.
- e. “City government operations” means the operations of the city of New York described in the Government Inventory Methodology and the Government Inventory Results sections of the Inventory of New York City Greenhouse Gas Emissions, dated April 2007.
- f. “Citywide emissions” means greenhouse gas emissions citywide.
- g. “Greenhouse gas emissions” means the emission of carbon dioxide, methane and nitrous oxide.
- h. “Office” means such office or agency as the mayor shall designate to implement this chapter.
- i. “PlaNYC” means the sustainability plan issued by the city of New York on April 22, 2007, entitled “PlaNYC 2030: A Greener, Greater New York”, as such plan may be revised from time to time.
- §24-803 Reduction of greenhouse gas emissions that contribute to global warming. a. (1) Reduction of emissions citywide. There shall be, at minimum, a thirty percent reduction in citywide emissions by calendar year 2030, relative to such emissions for the base year for citywide emissions.
- (2) The emissions reduction required by paragraph one of this subdivision shall be achieved through the applicable policies, programs and actions included in PlaNYC, and any additional policies, programs and actions to reduce greenhouse gas emissions that contribute to global warming. If the office determines that such emissions reduction is not feasible despite the best efforts of city government, such office shall report such findings and make recommendations with respect to policies, programs and actions that may be undertaken to

achieve such reductions.

b. Reduction of emissions from city government operations. (1) There shall be, at minimum, a thirty percent reduction in city government emissions by calendar year 2017, relative to such emissions for the base year for city government emissions.

(2) The emissions reduction required by paragraph one of this subdivision shall be achieved through the applicable policies, programs and actions included in PlaNYC, and any additional policies, programs and actions to reduce greenhouse gas emissions that contribute to global warming. If the office determines that such emissions reduction is not feasible despite the best efforts of city government, such office shall report such findings and make recommendations with respect to policies, programs and actions that may be undertaken to achieve such reductions.

c. Carbon dioxide equivalent emission inventories. (1) No later than September 17, 2008, and no later than every September 17 thereafter, the office shall complete and post on its website an inventory and analysis of citywide emissions measured in carbon dioxide equivalent for the previous calendar year, and shall calculate the percentage change in citywide emissions measured in carbon dioxide equivalent for such calendar year, relative to such emissions for the base year for citywide emissions.

(2) No later than September 17, 2008, and no later than every September 17 thereafter, the office shall complete and post on its website an inventory and analysis of city government emissions measured in carbon dioxide equivalent for the fiscal year ending in the previous calendar year, and shall calculate the percentage change in city government emissions measured in carbon dioxide equivalent for such calendar year, relative to such emissions for the base year for city government emissions.

d. Voluntary global warming emissions reduction program. The effort to reduce citywide emissions set forth in subdivision a of this section shall include, but not be limited to, voluntary programs developed and implemented no later than March 1, 2009, that encourage private entities operating within the city of New York to commit to reducing their own greenhouse gas emissions measured in carbon dioxide equivalent to help facilitate

the citywide emissions reduction effort.

§24-804 Education and outreach. No later than July 1, 2009, the office shall develop and implement programs for public education and outreach regarding global warming and the reduction of greenhouse gas emissions by residents, businesses, public and private elementary and secondary schools, and other entities within the city of New York. Such program shall include, but not be limited to, awareness campaigns tailored to specific sectors of the public, through which the office shall develop and disseminate information regarding global warming, including its potential impacts on the city of New York, and best practices to reduce energy consumption and greenhouse gas emissions.

§24-805 Annual report. No later than September 17, 2008, and no later than every September 17 thereafter, the office shall submit to the mayor, the speaker of the council, the public advocate and the comptroller and post on its website a report regarding actions taken by the office pursuant to the provisions of this chapter. Such report shall include, but not be limited to:

a. changes in citywide emissions measured in carbon dioxide equivalent achieved for the previous calendar year, relative to such emissions for the base year for citywide emissions;

b. changes in city government emissions measured in carbon dioxide equivalent achieved for the fiscal year ending in the previous calendar year, relative to such emissions for the base year for city government emissions disaggregated according to city agency;

c. a description of the programs developed and implemented in accordance with subdivision d of section 24-803 of this chapter and a list of the entities participating in such programs of which the office is aware; and

d. a description of the education and outreach activities developed and implemented pursuant to section 24-804 of this chapter.

§3. If any provision of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining provisions of this law, which

remaining provisions shall continue in full force and effect.

§4. This local law shall take effect immediately and shall be deemed to have been in full force and effect as of December 5, 2007.

4/22/08 6:14 p.m.