



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 564-A

COMMITTEE: Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a New York City energy code.

Sponsor: By Council Members Garodnick, Brewer, Fidler, Gonzalez, James, Koppell, Sanders Jr., Seabrook, Weprin, White Jr., Gerson, Lappin, Yassky, Recchia, Sears, Liu, Mendez, De Blasio, Mitchell, Mark-Viverito, Katz, Vallone Jr., Nelson, Vann, Avella, Gioia, Vacca, Jackson, Ferreras and Comrie.

SUMMARY OF LEGISLATION: The City of New York has adopted the Energy Conservation Construction Code of New York State, which sets standards for the energy performance of buildings throughout New York. The State’s Energy Code only applies when an alteration leads to the replacement of at least fifty percent of a building’s system or subsystem, meaning there are no energy efficiency requirements for many renovation projects of a lesser magnitude. To address this issue the City of New York has created its own energy code requiring that any residential and commercial renovations meet the State Energy Code, removing the fifty percent State threshold. The energy code is applied only to the renovation and not the entire building, meaning an entire building would not have to be brought up to the City’s energy code when work is done on just one piece. Exceptions will be made for buildings in the State or National Register of Historic Places as well as city landmarked structures.

Buildings owned by the City of New York are subject to the energy code and it is estimated by the Department of Citywide Administrative Services (DCAS) and the Mayor’s Office of Long-term Planning and Sustainability that the additional cost to the City to comply with the energy code would be negligible as the City renovates its buildings on a twenty five year cycle and when necessary renovations are done the materials used meet the energy code.

EFFECTIVE DATE: January 1st, 2010

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:

FISCAL IMPACT STATEMENT:

	Effective FY10	FY Succeeding Effective FY11	Full Fiscal Impact FY10
Revenues (+)	\$0*	\$0*	\$0*
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is potential revenue resulting from the enactment of this legislation in the form of filing fees and non-compliance fines. As of this time a filing fee amount has not been established nor has a fine amount or range been put forth. Until a fee and fine schedule are developed it will not be possible to estimate potential revenue generated by this legislation.

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not Applicable

SOURCE OF INFORMATION: The Department of Citywide Administrative Services, the Mayors Office of Long-term Planning and Sustainability and the City Council Finance Division.

ESTIMATE PREPARED BY: Jonathan Rosenberg, Deputy Director
Nathan Toth, Assistant Director

HISTORY: Introduced as Int. 564 by Council and referred to the Committee on Environmental Protection on April 23, 2007. On June 5th, 2008, Int. 564 was re-referred to the Committee by the Council. On June 26th, 2009 the Committee held a hearing and Int. 564 was laid over. An amendment has been proposed, and the bill will be considered by Committee as Proposed Int. 564-A on December 8, 2009.