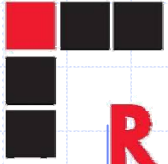


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NEW CODES IN NEW YORK CITY

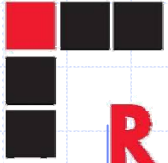
Gregory Carlson, CNYC Board Member
Leon Y. Geoxavier, RA, Project Architect
RAND Engineering & Architecture, PC
CNYC Housing Conference
November 14, 2010



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Topics:

- Recycling Update
- Energy Saving Lighting Requirements
- Local Law 2-10 (Tenant Screening)
- Backflow Prevention
- Bed Bugs
- Green Building Laws

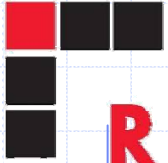


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Recycling Update

Law Enacted as of August 16, 2010; from Press Release # 083-2010

- **Int. 156 - Improves recycling at City agencies by requiring each agency to establish sustainability coordinators and to implement plans to expand recycling with each agency.**
- **Int. 158 - Requires DOS to site 300 new recycling bins in public spaces over the next three years, and a total of 700 bins within the next ten years.**
- **Int. 162 - Mandates at least one DOS sponsored household hazardous waste collection event in each borough per year, with a long-term goal of increasing the number of events, or making such sites permanent.**

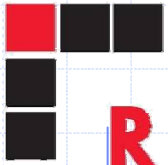


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Recycling Update

Law Enacted as of August 16, 2010; from Press Release # 083-2010

- **Int. 148 - Expands plastic recycling to cover all rigid plastic containers, including such items as yogurt tubs, take out containers and medicine bottles.**
- **Int. 147 Improves recycling education, enforcement, and fine increases.**
- **Int. 142 - Extends the DOS collection period from March 1 – November 30 beginning in 2012, and requires the Department of Sanitation to establish leaf and yard waste composting facilities in all boroughs where the Department provides yard waste compost collection.**

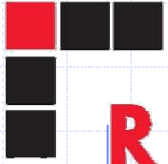


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Recycling Update

Law Enacted as of August 16, 2010; from Press Release # 083-2010

- **Int. 142 - Establishes a voluntary take-back program for retailers and manufacturers of unused residential paint.**
- **Int. 164 - Improves recycling reporting requirements and requires additional studies to enhance the City's recycling programs.**
- **Int. 171 - Requires a report to study ways to improve food waste composting in New York City.**



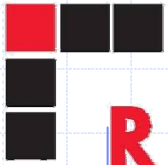
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Recycling Update

www.nyc.gov/html/nycwasteless/html/recycling/abri.shtml

Apartment Building Recycling Initiative (ABRI) : Individual to work with DOS Bureau of Waste Prevention, Reuse and Recycling (BWPRR) to educate residents and staff in building recycling.

- Training Session
- Recycling Materials
- Outreach Visit and Recommendations

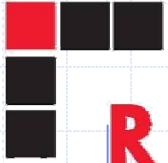


Energy Saving Lighting Requirements

Local Law 47 of 2010 ([Intro 262-A](#))

A Local Law to amend the administrative code of the City of New York, in relation to reducing unnecessary artificial lighting in lobbies and hallways.

- "by either daylight or electric lighting fixtures";
- "1 foot-candle (11 lux) at the walking surface level";
- "Automatic, occupant sensor or photosensor lighting controls shall be permitted within means of egress"



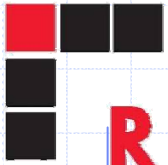
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Energy Saving Lighting Requirements

Local Law 52 of 2010 (Int. No. 277)

A Local Law to amend the administrative code of the city of New York, in relation to improving lighting efficiency in dwellings.

- “Lighting fixtures and natural light shall in the aggregate provide an illumination level of no less than one foot-candle measured at the floor level in public parts of dwellings.”
- “Automatic, occupant sensor or photo-sensor lighting controls may be installed to operate lighting fixtures in mechanical equipment rooms, storage rooms, and laundry rooms”



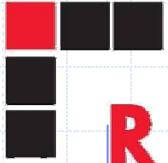
Local Law 2-10: Tenant Screening Report Disclosure

Stemming from the Federal Fair Credit Reporting Act and the State Fair Credit Reporting Act; the new law will go into effect on July 2, 2010. The new law requires any owner or agent who requests lease application information from a prospective tenant to disclose certain information.

If the owner/agent rejects the tenant based on information obtained from the application: The owner/agent must notify the tenant that such action was taken and provide the tenant with the name and address of the agency that provided the tenant screening report. The owner or agent must inform the tenant:

- (1) That he or she has a right to inspect and receive one free copy of such report by contacting the consumer reporting agency used by the owner/agent, and
- (2) That he or she has a right to obtain a free copy of the report from each national consumer reporting agency (Transunion, Equifax, and Experian) annually, and
- (3) That he or she has a right to obtain a report from www.annualcreditreport.com, and
- (4) That he or she has a right to dispute any inaccurate information in the report.

The disclosure notice must be set off in a box and printed in a color that contrasts with the printed information on the application.



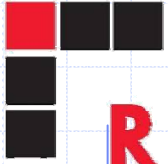
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Backflow Prevention Devices

(Int. No. 935-A)

A Local Law to amend the administrative code of the city of New York, in relation to backflow prevention device reporting and certification.

b. When the department...has determined that there is a cross connection and no backflow prevention device, or a defective or unapproved device, such that there is a possibility of backflow or backsiphonage from such building or structure into a city water main...the owner...shall be under a duty to correct such potential or actual backflow or backsiphonage and provide the proper documentation to certify to the department that a backflow prevention device has been installed and where appropriate, that a backflow prevention device has been replaced.



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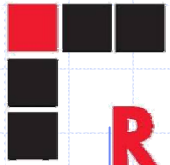
Bed Bug Disclosure Rule

2010-B-07: Disclosure of Bed Bug Infestation History

New York City Administrative Code § 27-2018.1, which the Governor signed into law on August 31, 2010, mandates that new residential tenants in New York City be given a one-year bed bug infestation history: *Disclosure of Bedbug Infestation History*.

The New York City Department of Health & Mental Hygiene has published a bed bug guide called "Preventing and Getting Rid of Bed Bugs Safely":

(<http://www.nyc.gov/html/doh/downloads/pdf/vector/bed-bug-guide.pdf>)



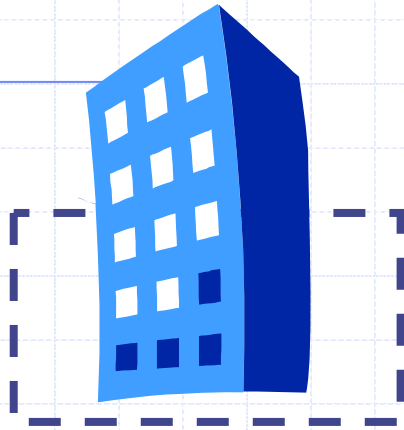
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NYC Green Building Laws

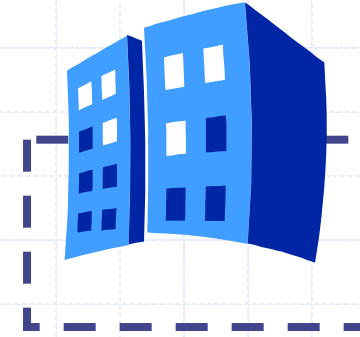
Local Law 52 of 2010 (Int. No. 277)

A Local Law to amend the administrative code of the city of New York, in relation to improving lighting efficiency in dwellings.

NYC Energy Efficiency Legislation



buildings over 50,000 gross square feet



2 or more buildings on same tax lot over 100,000 square feet



2 or more buildings held in Condominium ownership governed by the same Board over 100,000 square feet.

Building size can be challenged at Department of Finance

◆ Audits and Retro-commissioning

◆ (Local Law 87/2009)

- **Energy Audit** – evaluation of energy upgrades for base building systems (includes cost-savings projections)
 - Building Envelope
 - HVAC systems
 - Conveying Systems
 - Domestic hot water systems
 - Electrical and lighting systems
- **Retro-commissioning** – fine tuning of existing system
- **Energy Efficiency Report (Combination of Energy Audit and Retro-commissioning Report) Every 10 Years**

◆ Audits and Retro-commissioning ◆ (Local Law 87/2009)

◆ Energy-Efficiency Report (EER):

- Compiled Audit and Retro-commissioning reports completed no more than four years earlier
- Due Dates of EER by last digit of tax block:

Last digit of tax block	3	4	5	6	7	8	9	0	1	2
Year first EER is due	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022

- Early Compliance Available

◆ Audits and Retro-commissioning ◆ (Local Law 87/2009)

◆ Audit:



Mandatory to perform



Not Mandatory to Implement

◆ Exemption from **audit** if:

- EPA Energy Star Label (for 2 of 3 prior years)
- No EPA Label and Professional Statement
- LEED for Existing Buildings 2009 Certification

◆ Audits and Retro-commissioning

◆ (Local Law 87/2009)

◆ Exemption from **audit** if fits 6 of 7 criteria:

- Individual unit heating systems
- Energy code compliant electrical and lighting systems
- Low flow faucets and showerheads
- Insulated piping
- Insulated domestic hot water systems
- Front loading clothes washers
- Cool roof

◆ New York Energy Code

◆ (Local Law 85/2009)

- Minimum requirements for building components and systems efficiency
- All alterations filed after July 1, 2010 to show compliance with code
- Removes 50% loophole in state code
- Compliance with 2007 NYS ECC (technical standards unchanged) or ASHRAE 90.1-2004
- Submission requirements at initial filing of project
- Codes updated periodically

◆ Benchmarking (Local Law 84/2009)

- Enter information on building's energy use into benchmarking tool
- Annual assessment of energy and water use
- Energy – Electric, gas, oil
- Water usage per metered data
- Free Internet-based US EPA Benchmarking Tool

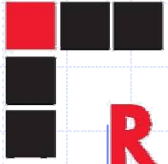
◆ Benchmarking (Local Law 84/2009)

- Annual benchmarking **deadline** of May 1, starting with 2011
- Retain documents (bills, metered tenant information, information requests) for 3 years
- Does not include dwelling units – focus on common areas/commercial areas of multi-family buildings

◆ Lighting and Submetering

◆ (Local Law 88/2009)

- All lighting systems shall comply with NYC Energy Conservation Code in effect at time or renovation by 2025.
- All tenant spaces larger than 10,000 feet shall be provided with electrical sub-metering by 2025
- ◆ Electric Sub-metering:
 - Monthly usage statements must be provided to all tenants.
 - Not required to bill tenants for usage
 - File report produced by registered professional to show compliance



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New NYC Codes

Questions?