



BUILDINGS BULLETIN 2020-002

Operational

Supersedes: None

Issuer: Gus Sirakis, P.E.
First Deputy Commissioner

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Purpose: This bulletin clarifies when to apply the 2016 New York City Energy Conservation Code (NYCECC) or the 2020 NYCECC to New Building (NB) and Alteration (Alt) applications.

Related Code/Zoning: 1 RCNY 5000-01

Subject(s): Construction documents, application for; Construction documents, approval of; New building application; alterations, application; Energy Code; 2016 NYCECC, applicability; 2020 NYCECC, applicability; 2016 NYCECC, applicability; 2020 NYCECC, effective date

I. Background

The Energy Conservation Construction Code of New York State (ECCCNYS) is expected to go into effect on May 12, 2020. By State law, all local government energy codes, including New York City Energy Conservation Code (NYCECC), must be no less stringent than the ECCCNYS. In addition, the City's Energy Code must have the same effective date as the State's Energy Code, which will be **May 12, 2020**.

This bulletin clarifies the conditions under which the provisions of the 2020 New York City Energy Conservation Code (NYCECC) apply as they pertain to application submissions

II. New Building and Alteration applications to Existing Buildings filed in BIS

If the application for construction document approval is submitted before May 12, 2020, and has a BIS Job Status Code of 'D' and an Online Code 'A/P Entire,' then the 2016 NYCECC applies, provided that all of the following requirements are met:

- the construction documents submitted meet the minimum requirements for completeness, as per 1RCNY 5000-01 and the Department's **Project Guidelines** (<https://www1.nyc.gov/site/buildings/business/project-guidelines.page>)
- the application includes a complete energy analysis, and
- the application thereafter is diligently pursued to completion

With respect to NB applications and NB applications with existing elements, the 2016 NYCECC shall apply to the entire application, including any additional filings related to the NB (such as mechanical or boiler equipment filings) submitted on or after May 12, 2020, provided that construction documents are submitted before May 12, 2020 that include all necessary architectural, foundation, structural plans, lighting and corresponding energy analysis. Reviews and approvals from other agencies (e.g. Landmarks Preservation Commission) need not be submitted before May 12, 2020 in order for the application to be subject to the 2016 NYCECC.

Any subsequent filing, post-approval amendment, or updates to an initial filing to an alteration application or NB application following the 2016 NYCECC, with a substantial increase in work scope related to the overall size or footprint of such building, must fully comply in its entirety with the 2020 NYCECC, unless otherwise reviewed and authorized by the appropriate borough office.

III. Alterations for Work Types filed in DOB NOW independent of a BIS related job

When the application of a work type that is independent of a BIS filed job and is not in pre-filing status, is submitted before May 12, 2020 in DOB NOW, the 2016 NYCECC applies.

Jobs filed in DOB NOW with a pre-filing status are considered incomplete application submissions.

IV. 2020 NYCECC Effective Date

WORK TYPE	TRIGGER	DATE	2016 Code	2020 Code
New Buildings and New Buildings with Existing Elements	Complete Submission <i>as per this Bulletin</i>	Before May 12, 2020 ^{a, b}	✓	
		On or after May 12, 2020 ^{a, b}		✓
Alteration applications to Existing Buildings	Complete Submission <i>as per this Bulletin</i>	Before May 12, 2020 ^{a, b}	✓	
		On or after May 12, 2020 ^{a, b}		✓
DOB NOW Work Types ^c	Complete Submission <i>as per this Bulletin</i>	Before May 12, 2020 ^{a, b}	✓	
		On or after May 12, 2020 ^{a, b}		✓

^a New Building and Alteration applications must include a Professional Statement, Energy Progress Inspection requirements, Energy Analysis, and Supporting Documentation as outlined in the *Project Guidelines*, <https://www1.nyc.gov/site/buildings/business/project-guidelines.page>. Subsequent related filings can be submitted after May 12, 2020, but must follow the same version of the NYCECC in effect as the original application. The Supporting Documents must include the Building Envelope, Mechanical Systems, Lighting & Electrical Power, and any Other Requirements as outlined in the Updated How-to Guide https://www1.nyc.gov/assets/buildings/pdf/h2g_all.pdf.

^b Such applications must have a Job Status Code 'D' and Online Code 'A/P Entire.'

^c Only applicable to applications not associated with a BIS filing.