

CHAPTER 1 ADMINISTRATION

INTRODUCTORY STATEMENT

The New York City Energy Conservation Code (“NYCECC”) is comprised of the publication entitled the 2025 Energy Conservation Construction Code of New York State (“ECCCNYS”) with amendments as enacted into law by the city. Reflecting these amendments to the ECCCNYS, the NYCECC is divided into provisions relevant to commercial buildings and provisions relevant to residential buildings as follows:

1. The provisions of the NYCECC for commercial buildings are reflected in the state publications incorporated by reference in 19 NYCRR Sections 1240.3 and 1240.5, as amended by Sections 28-1001.2.1 and 28-1001.2.2 of the Administrative Code. Such state publications include (i) Chapters 1 [CE], 2 [CE], 3 [CE], 4 [CE], 5 [CE] and 6 [CE] of ECCCNYS; (ii) the New York State-specific version of the publication entitled “Standard 90.1, Energy Standard for Buildings Except Low-Rise Residential Buildings,” published by the International Code Council, as incorporated in the ECCCNYS (“2025 NYS ASHRAE 90.1”); and (iii) reference standards incorporated by reference in subdivision (c) of 19 NYCRR Section 1240.3.
2. The provisions of the NYCECC for residential buildings are reflected in the state publications incorporated by reference in 19 NYCRR Section 1240.4, as amended by Sections 28-1001.2.1 of the Administrative Code. Such state publications include (i) Chapters 1 [RE], 2 [RE], 3 [RE], 4 [RE], 5 [RE] 6 [RE] and Appendix RF of the ECCCNYS; and (ii) the referenced standards incorporated by reference in subdivision (b) of 19 NYCRR Section 1240.4.

SECTION ECC 101 SCOPE AND GENERAL REQUIREMENTS

101.1 General. These provisions shall be known and cited as the “New York City Energy Conservation Code,” “NYCECC” or “ECC,” and are referred to herein as “this code.” All section numbers in this code shall be deemed to be preceded by the designation “ECC.” Administration and enforcement of this code shall be in accordance with Title 28 of the Administrative Code.

101.1.1 Titles. The publication entitled 2025 Energy Conservation Construction Code of New York State shall be known as the “ECCCNYS.”

The New York State-specific version of the publication entitled “Standard 90.1, Energy Standard for Buildings Except Low-Rise Residential Buildings,” published by the International Code Council, as incorporated in the ECCCNYS shall be known as “2025 NYS ASHRAE 90.1.” All references in this code to “2025 NYC ASHRAE 90.1” reflect New York City amendments to 2025 NYS ASHRAE 90.1 as amended by Section 28-1001.2.2 of the Administrative Code.

The ECCCNYS, as contained in Part 1240 of Title 19 of the New York Codes, Rules and Regulations, along with the New York City amendments to such ECCCNYS shall be known collectively as the “New York City Energy Conservation Code” or “NYCECC.”

101.1.2 References. Where reference is made within this code to the Building Code of New York State, Existing Building Code of New York State, Fire Code of New York State, Fuel Gas Code of New York State, Mechanical Code of New York State, Plumbing Code of New York State, Property Maintenance Code of New York State, or Residential Code of New York State, the reference shall be deemed to be to the analogous provision of the New York City Construction Codes (Title 28 of the Administrative Code), the 1968 Building Code (Chapter 1 of Title 27 of the Administrative Code), the New York City Fire Code (Title 29 of the Administrative Code) or the New York City Electrical Code (Chapter 11 of Title 28 of the Administrative Code).

101.2 Scope. This code regulates the design and construction of commercial buildings and residential buildings, as defined in Chapter C2 and Chapter R2 of this code, accessory structures, building sites, and associated systems and equipment, as well as the repair, addition, alteration, or change of occupancy thereto for the use and conservation of energy and clean energy features, including the reduction in greenhouse gas emissions, over the life of each such commercial and residential building.

101.2.1 Statutory limitations. In the event of an addition to, or alteration of, an existing building or building system in an existing building that does not include a change of occupancy, nothing in this code shall be interpreted to require any unaltered portion of such existing building or building system to comply with this code.

101.2.2 Occupancy classifications. For determination of occupancy classification and use within this code, a comparable occupancy classification shall be made to the New York City Building Code.

101.2.3 Reconciliation with New York State Energy Conservation Construction Code. Whenever any provision of the New York State Energy Conservation Construction Code provides for a more stringent requirement than imposed by this code, the more stringent requirement shall govern. The department may interpret provisions of this code that are (1) in addition to the provisions of the New York State Energy Conservation Construction Code or (2) more stringent than the provisions of such Code.

101.2.4 Other laws. The provisions of this code shall not be deemed to nullify any federal, state or local law, rule or regulation relating to any matter as to which this code does not provide, including but not limited to Articles 320 and 321 of Chapter 3 of Title 28 of the Administrative Code. Where the energy efficiency, energy use, or water use of covered products or equipment is subject to federal preemption pursuant to the Energy Policy and Conservation Act, the requirements set forth by the

Department of Energy in the Code of Federal Regulations take precedence over any requirement in this Code.

101.2.5 Exceptions. This code shall not apply to the alterations of existing buildings set forth in items 1 through 7, provided that the alteration will not increase the energy usage of the building:

1. Storm windows installed over existing fenestration.
2. Glass-only replacements in an existing sash and frame, provided that the U-factor and the solar heat gain coefficient (SHGC) shall be equal to or lower than before the glass replacement.
3. Surface-applied window film installed on existing single-pane fenestration assemblies reducing solar heat gain, provided that this code does not require the glazing or fenestration to be replaced.
4. Reroofing where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
5. Replacement of existing doors that separate conditioned space from the exterior shall not require the installation of a vestibule or revolving door, provided that an existing vestibule that separates a conditioned space from the exterior shall not be removed.
6. An alteration that replaces less than 10 percent of the luminaires in a space, provided that such alteration does not increase the installed interior lighting power.
7. An alteration that replaces only the bulb and ballast within the existing luminaires in a space, provided that such alteration does not increase the installed interior lighting power.

101.3 Intent. This code shall regulate the design and construction of buildings for the use and conservation of energy over the life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances. To the fullest extent feasible, use of modern technical methods, devices and improvements that tend to minimize consumption of energy without abridging reasonable requirements for the safety, health and security of the occupants or users of buildings shall be permitted. As far as may be practicable, the improvement of energy conservation construction practices, methods, equipment, materials and techniques shall be encouraged.

Nothing in this section or in any other provision of this code shall be construed to permit the commissioner to approve an application to waive, vary, modify or otherwise alter any provision of this code if such alteration would make such provision less restrictive than a standard or requirement of the ECCCNY, unless the applicant has obtained approval for such alteration pursuant to Section 11-106 of the New York State Energy Law.

101.4 Applicability. The provisions of this code shall apply to the construction of buildings. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive provision shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

101.4.1 Mixed occupancy. Where a building, having not more than three stories above grade plane, includes both commercial and residential occupancies, each occupancy shall be separately considered and shall meet the applicable provisions of Chapters C2, C3, C4 and C5 for commercial or the applicable provisions of the 2025 NYC ASHRAE 90.1, and Chapters R2, R3, R4, and R5 for residential.

101.5 Compliance. Commercial buildings shall comply with the provisions of this code applicable to commercial buildings. Residential buildings shall comply with the provisions of this code applicable to residential buildings.

101.5.1 Compliance software. Where chosen by the applicant, compliance with the NYCECC—Commercial Provisions or Residential Provisions, or portion thereof, or, if applicable, with the 2025 NYC ASHRAE 90.1—can be demonstrated using either of the following:

1. Computer software that is developed by the United States Department of Energy (such as COMcheck®), specifically for the NYCECC or, if applicable, specifically for the 2025 NYC ASHRAE 90.1, or
2. Other software expressly approved in writing by the New York Secretary of State as acceptable for demonstrating compliance with the NYCECC or, if applicable, for demonstrating compliance with the 2025 NYC ASHRAE 90.1.

101.5.1.1 Other analysis tools. Other performance analysis tools used to document simulated building performance for a specified application or limited scope in accordance with Section C407 are subject to the approval of the building official.

101.5.1.2 Mandatory provisions. The use of software to demonstrate compliance with the commercial provisions, residential provisions, or 2025 NYC ASHRAE 90.1 as established by this code is not a defense to the failure to comply with any mandatory provision of this code. When using software to demonstrate compliance with the provisions of this code, compliance with all applicable mandatory provisions of this code is required.

101.5.2 Demonstration of compliance. For building project applications required to be submitted to the department, the following documentation, as further described in the rules of the department, shall be required in order to demonstrate compliance with this code:

101.5.2.1 Professional statement. Any registered design professional or lead energy professional filing an application or applications for a new building or alteration project shall provide on a signed and sealed drawing a statement of compliance or exemption in accordance with the rules of the department.

101.5.2.2 Energy analysis. For any application that is not exempt from this code and for which a work permit is required in accordance with Article 105 of Chapter 1 of Title 28 of the Administrative Code, an energy analysis shall be provided on a sheet or sheets within the construction drawing set. The energy analysis shall identify the compliance path followed, demonstrate how the design complies with this code and be in a format as prescribed in the rules of the department. The energy analysis shall meet the requirements of this code for the entire project. Projects that utilize trade-offs among disciplines shall use DOE2-based energy modeling programs or other energy-modeling programs as prescribed in the rules of the department and shall be signed and sealed by a lead energy professional.

101.5.2.3 Supporting documentation. For any application that is not exempt from this code and for which a work permit is required in accordance with Article 105 of Chapter 1 of Title 28 of the Administrative Code, supporting documentation shall be required in the approved construction drawings. See Section ECC 103 for further requirements.

SECTION ECC 102
ALTERNATIVE MATERIALS, METHODS OF CONSTRUCTION, DESIGNS OR INSULATING SYSTEMS

102.1 General. This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such material, method of construction, design or insulating system has been approved by the commissioner as (1) meeting the intent of this code, (2) achieving energy savings that are equivalent to or greater than would be achieved using prescribed materials, methods of construction, designs or insulating systems, and (3) meeting the requirements of Article 113 of Chapter 1 of Title 28 of the Administrative Code and the New York City Construction Codes.

Nothing in this section shall be construed to permit the commissioner to approve an application that would waive, vary, modify, or otherwise alter any provision, standard, or requirement of this code if such alteration would make such provision less restrictive than a standard or requirement of the ECCCNY unless the applicant has obtained approval for such alteration pursuant to Section 11-106 of the New York State Energy Law.

SECTION ECC 103
CONSTRUCTION DOCUMENTS

103.1 General. Construction documents shall be prepared in accordance with the provisions of Chapter 1 of Title 28 of the Administrative Code, the New York City Construction Codes, including this code, and the rules of the department.

103.2 Supporting documentation on construction documents. Supporting documentation shall include those construction documents that demonstrate compliance with this code.

103.2.1 Intent. Supporting documentation shall accomplish the following:

1. Demonstrate conformance of approved drawings to the energy analysis for every element and value of the energy analysis;
2. Demonstrate conformance of approved drawings to other mandatory requirements of this code, including, but not limited to, sealing against air leakage from the building envelope and from ductwork as applicable, insulation of ducts and piping as applicable, mechanical and lighting controls with devices shown and operational narratives for each, and additional requirements as set forth in this section;
3. Identify required progress inspections in accordance with the scope of work, this code, the Administrative Code, the New York City Building Code and the rules of the department; and
4. Comply with other requirements as may be set forth in the rules of the department.

103.2.2 Detailed requirements. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted in accordance with department procedures. Construction documents for a project shall be fully coordinated and of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, building systems and equipment as herein governed. Details shall include, but are not limited to, as applicable, the following:

1. Energy Code compliance path.
2. Insulation materials and their R-values.
3. Fenestration U-factors and solar heat gain coefficients (SHGCs).
4. Area-weighted average U-factor and solar heat gain coefficient (SHGC) calculations.
5. Air barrier and air sealing details, including the location of the air barrier.

6. Thermal bridges as identified in Section C402.7.
7. Mechanical system design criteria.
8. Mechanical and service water heating systems and equipment types, sizes and efficiencies.
9. Economizer description.
10. Equipment and system controls.
11. Fan motor horsepower (hp) and controls.
12. Duct sealing, duct and pipe insulation and location.
13. Lighting fixture schedule with wattage and control narrative.
14. Location of daylight zones on floor plans.
15. Location of pathways for routing of raceways or cable from the on-site renewable energy system to the electrical distribution equipment, where provided.
16. Location reserved for inverters, metering equipment and energy storage system (ESS), and a pathway reserved for routing of raceways or conduit from the on-site renewable energy system to the point of interconnection with the electrical service and the ESS, where provided.
17. Location and layout of a designated area for ESS, where provided.
18. Rated energy capacity and rated power capacity of the installed or planned ESS.
19. Location of designated EVSE spaces, EV ready spaces, and EV capable spaces in parking facilities and location of planned off-street loading spaces for future medium or heavy-duty EVSE.
20. Location of pathways for routing of raceways or cable from the enclosure or outlet of EV capable spaces to the electrical distribution equipment.

103.3 Examination of documents. In accordance with Article 104 of Chapter 1 of Title 28 of the Administrative Code, the department shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws, rules and regulations.

103.4 Changes during construction. For changes during construction refer to Section 28-104.3 of the Administrative Code.

SECTION ECC 104 INSPECTIONS

104.1 General. Except as otherwise specifically provided, inspections required by this code or by the department during the progress of work may be performed on behalf of the owner by an approved agency. All inspections shall be performed at the sole cost and expense of the owner. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code for additional provisions relating to inspections. In addition to any inspections otherwise required by this code or the rules of the department, the following inspections shall be required:

1. Progress inspections. Progress inspections shall be performed in accordance with the rules of the department.
2. Final inspection. Refer to Article 116 of Chapter 1 of Title 28 of the Administrative Code and the rules of the department.
3. Issuance of Certificate of Compliance. Refer to Section 28-116.4.1 of the Administrative Code.

The requirements of this section shall not prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure, provided that a request for inspection of such heating equipment or

appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure.

104.1.1 Approved agencies. Refer to Article 114 of Chapter 1 of Title 28 of the Administrative Code and the rules of the department.

104.1.2 Inspection of prefabricated construction assemblies. Prior to the issuance of a work permit for a prefabricated construction assembly having concealed mechanical work, the department shall require the submittal of an evaluation report by the manufacturer or approved agency on each prefabricated construction assembly, indicating the complete details of the mechanical system, including a description of the system and its components, the basis upon which the system is being evaluated for energy use, test results and similar information, and other data as necessary for the commissioner to determine conformance to this code.

104.1.2.1 Test and inspection records. Required test and inspection records shall be made available to the commissioner at all times during the fabrication of the mechanical system and the erection of the building; or such records as the commissioner designates shall be filed.

104.2 Testing. Envelope, heating, ventilating, air conditioning, service water heating, lighting and electrical systems shall be tested as required in this code and in accordance with Sections 104.2.1 through 104.2.3. Except as otherwise required in this code or in the rules of the department, tests shall be made by the permit holder and witnessed by an approved agency.

104.2.1 New, altered, extended, renovated or repaired systems. New envelope, heating, ventilating, air conditioning, service water heating, lighting and electrical installations or systems, and parts of existing systems that have been altered, extended, renovated or repaired, shall be tested as prescribed herein or in the rules of the department to disclose leaks and defects.

104.2.2 Apparatus, instruments, material and labor for tests. Apparatus, instruments, material and labor required for testing an envelope, heating, ventilating, air conditioning, service water heating, lighting or electrical installation or system, or part thereof, shall be furnished by the permit holder.

104.2.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with the New York City Construction Codes, including this code. The work or installation shall then be reinspected or retested by the approved agency.

104.3 Sign-off of completed work. In addition to the requirements of Article 116 of Chapter 1 of Title 28 of the Administrative Code, Section 103.4 of this code, and other requirements for sign-off, the project team shall either certify that construction does not differ from the last approved energy analysis or provide a whole-project as-built energy analysis and supporting documents, signed and sealed, for approval prior to sign-off. The as-built energy analysis and supporting documents shall reflect the materials, equipment and values actually used in the construction of the project, and shall demonstrate compliance of the constructed project with this code. Such signed and sealed documents may be accepted with less than full examination by the department based on the professional certification of the registered design professional.

104.4 Temporary connection. The commissioner shall have the authority to allow the temporary connection of an installation to the sources of energy for the purpose of testing the installation or for use under a temporary certificate of occupancy.

SECTION ECC 105
REFERENCED STANDARDS

105.1 Referenced standards. The standards referenced in Chapters C2, C3, C4, and C5 of this code shall be those that are listed in Chapter C6 of this code, and in the rules of the department and such standards shall be considered part of the requirements of the commercial provisions of this code to the prescribed extent of each such reference. The standards referenced in Chapters R2, R3, R4, and R5, of this code shall be those that are listed in Chapter R6 of this code, and in the rules of the department and such standards shall be considered part of the requirements of the residential provisions of this code to the prescribed extent of each such reference. The standards referenced in 2025 NYC ASHRAE 90.1 of this code shall be those that are listed in Section 12 of 2025 NYC ASHRAE 90.1 of this code, and in the rules of the department and such standards shall be considered part of the requirements of the commercial provisions of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Refer to Article 103 of Chapter 1 of Title 28 of the Administrative Code for additional provisions relating to referenced standards.