Local Law 51 of 2023

NYC Charter Chapter 9: Capital Projects and Budget
Section 224.1: Green Building Standards

The **Capital Green Building Program (CGBP)** is an effort by the City of New York to carry out the provisions of Charter Section 224.1: "Green Building Standards" to ensure that most capital projects owned or funded by the City are designed and constructed to achieve significantly higher environmental performance than the private building industry average.

In 2023, the New York City Council adopted Local Law 51, which is codified in Charter Section 224.1**. This law amended Local Laws 31 and 32 of 2016 , which amended Local Law 86 of 2005.** Local Law 86 of 2005 was one of the nation's first green building laws.

Local Law 51 requires city-funded capital projects to achieve ambitious green building design standards, water use reductions, and significantly improved energy performance.

Local Law 51 requires the City's capital projects to:

- achieve green building rating system certification (LEED or approved alternative);
- consume less water and energy than similar existing building types;
- assess the feasibility of implementing on-site renewable energy generation, achieving net-zero energy performance, and incorporating green infrastructure.

Charter Section 224.1 is labeled "Green Building Standards" and codifies the law within the New York City Charter.

The Mayor's Office of Environmental Coordination (MOEC) is authorized by Executive Order 97 of 2006 to exercise the powers and duties of the Mayor in conjunction with LL51 and Charter Section 224.1

Through the Capital Green Building Program, MOEC collaborates with agencies to identify if their projects are subject to Section 224.1 requirements and assesses and verifies subsequent compliance. MOEC is required to **annually report** to the New York City Council the findings of its analysis of City capital project building data and compliance with Section 224.1.

These green building standards have specific project applicability criteria to determine the design and construction requirements. Applicability of the law and its requirements is dependent on **ownership, estimated construction cost, building occupancy type and project scope of work**.

Criteria and Requirements

Green Building Design Standard

Most capital projects with an estimated construction cost of **$2,000,000 or more** and that involve the construction of a new building, addition to an existing building, or the substantial reconstruction of an existing building, across most occupancy groups, are required to be designed and constructed to achieve a LEED® Gold or higher rating, or approved alternative standard:

- Green Schools Guide (Education)
- Enterprise Green Communities (Residential)
- Envision Gold Award (Factory, Hazard)

Energy Use Reductions

Across most occupancy groups, city owned capital projects with an estimated construction cost of $2,000,000 or more that <u>include substantial envelope scope</u> are required to reduce energy use intensity (EUI) following one of the following pathways:

- 50% reduction in site EUI compared to ASHRAE 90.1-2013

OR

- Source EUI of no more than 38 kBTU/sq.ft/yr for new construction; 42 kBTU/sq.ft/yr for additions and substantial reconstructions

<u>City-owned projects without substantial envelope scope</u> and <u>non-city owned projects (with and without substantial envelope scope)</u> and with estimated construction costs between $12,000,000 and $30,000,000 are required to reduce site EUI by 25% compared to ASHRAE 90.1-2013 (or existing EUI for reconstruction projects without envelope scope). Projects with an estimated budget of $30,000,000 or more must reduce site EUI by 30%.

HVAC System Upgrade

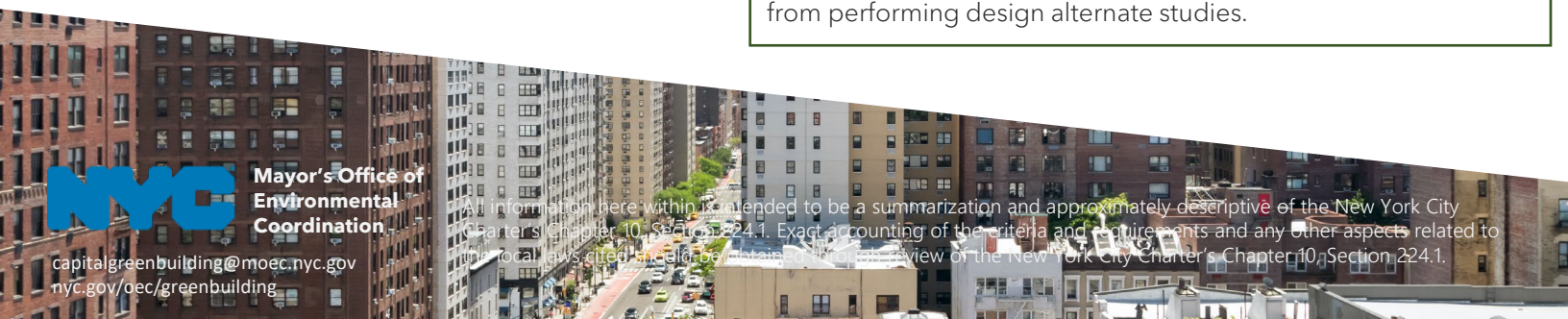
Capital projects that solely involve the installation or replacement of an HVAC system, with a cost of $2,000,00 or more, must reduce site EUI by at least 10% from the New York City Energy Conservation Code baseline.

Plumbing Systems

Capital projects involving the installation or replacement of plumbing systems at an estimated construction cost of $500,000 or more must reduce potable water consumption by 30%.

Feasibility Studies

Capital projects with an estimated construction cost of $2,000,000 or more are required to perform design alternate studies for on-site renewable energy generation, net-zero energy performance, and incorporation of green infrastructure. All non-city owned projects (and city-owned projects with no envelope scope) with estimated construction costs greater than $12,000,000 are exempt from performing design alternate studies.



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All information here within is intended to be a summarization and approximately descriptive of the New York City Charter's Chapter 10, Section 224.1. Exact accounting of the criteria and requirements and any other aspects related to the local laws cited should be obtained from a review of the New York City Charter's Chapter 10, Section 224.1.