NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Fully Enforce NYC Construction Codes

Implemented
American Recovery and Reinvestment Act

Summary
Codes are increasingly viewed as an essential, low-cost strategy for achieving energy and carbon reduction targets. However, to be effective, codes must be enforced.

This proposal recommended that the city study how to achieve 90% code compliance and identified four issues for consideration. These changes have been implemented, and the Department of Buildings is now in a much better position to enforce that code.

New Requirements or Changes
The status of the four proposal recommendations is as follows.

1. **DOB should hire more staff with energy code experience, and provide more training on the energy code for plan examiners and inspectors.** DOB now has several new staff members specifically dedicated to Energy Code enforcement. Applications for new building (NB) and major renovation (Alt1) permits will be subject to an additional fee of $220 to cover energy code review.

2. **Shift the DOB's Electrical Division into the Construction Division, and have DOB review electrical drawings as part of code administration and enforcement.** Although the Electrical Division merger will not take place, the DOB will undertake enhanced review of certain applications that are subject to Energy Code enforcement. For new construction (NB) and major renovation (Alt1) permits, DOB will confirm Energy Code compliance for electrical work.

3. **Rework the “special inspector” program, which uses construction site inspectors who are authorized by the department but paid by the building owner, raising a concern about conflicts of interest.** The program will continue, but DOB will now send an Energy Code inspector to accompany Construction special inspectors. The dedicated Energy Code inspector will also conduct random audits and scheduled inspections on site, and audit the special inspectors’ reports.

4. **Withdraw the professional certification authority of architects and engineers found to submit plans with significant violations of the city's laws, including the energy code and other green codes.** The DOB has such authority, and uses it when the situation warrants.

Enforcement
Not applicable. This proposal is about enforcement, but does not require enforcement itself.
Implementation Notes

The proposal will not require any changes in code requirements from those now on the books. The proposal also called for changes to DOB procedures in the Electrical Division and the Special Inspection program. These changes will not be implemented as suggested, but related improvements will address many of the same concerns.