



AIA New York Statement of Support for Int. 2317, Fossil Fuel Ban Bill

AIA New York strongly supports the electrification of buildings by ending their reliance on fossil fuels for power and other uses. Fossil fuels in buildings have been largely phased out throughout New York State and the rest of the country, both by mandate and by choice. However, this is not the case in New York City, making legislation necessary to accomplish this goal. Int 2317-2021 would do just this, by not allowing new or significantly altered buildings to use high-carbon-emitting substances.

Eliminating fossil fuel use in new buildings and those undergoing major alterations would have numerous positive impacts. As 70% of carbon emissions in New York City originate from buildings, electrification would reduce greenhouse gas emissions, since electric power will soon originate from a clean wind and solar-powered grid. Reducing greenhouse gas emissions would mitigate climate change and improve air quality while also decreasing the city's reliance on non-renewable energy sources. The 2019 gas moratorium showed the supply of fossil fuels is unreliable, which makes the design and construction of buildings dependent on them challenging. Lastly, fossil fuels create an unnecessary fire hazard at construction sites and in occupied buildings. This endangers design and construction industry professionals, as well as everyday New Yorkers.

We hope this bill is just the start of reducing the city's reliance on fossil fuels. Future legislation is needed to address existing buildings, most of which are still reliant upon these non-renewable energy resources. As comparatively few buildings undergo the types of alterations covered in this bill, additional legislation is needed to cover most other existing buildings. For instance, further action by the City Council and NYC Department of Buildings should be taken to encourage or mandate the replacement of boilers.

While AIANY is strongly supportive of the concepts in this bill, changes should be made to the existing legislation to ease implementation and compliance. These recommendations are outlined below and would ensure that the bill is as effective as intended.

Recommendations:

- Move to new portion of the code not relating to fuel signage, perhaps Section 24-173 (use of solid fuel) or a new section (24-178).
- Define covered buildings as “new buildings” and those undergoing renovations that fall in the ALT1 category, “Major alterations that will change use, egress or occupancy.”
- Lower kgs from 50 to 40 to make it essentially impossible for “clean” fossil fuels to emerge as an alternative in the future.
- Carbon dioxide, not carbon, should be used as the unit of measurement, since it is the industry standard.
- The exemption should be clarified and simplified and should require a formal application process to reduce loopholes. Language should be taken from LL97-2019 and DOB rules relating to its implementation.
- The law should take effect after one year for smaller buildings, two years for mid-size buildings, and three years for large buildings to allow the industry to adjust.

The American Institute of Architects

AIA New York
536 LaGuardia Place
New York, NY 10012

T (212) 683 0023

F (212) 696 5022

www.aiany.org