



## **New York City Local Law 97 Building Emissions Cap**

Below is information provided by the NYC Department of Buildings (“DOB”) on Local Law 97 (unless otherwise noted). At the end of this document there are links to various sources with further detailed information on the law.

In December 2022, the DOB finalized the first rulemaking related to Local Law 97 in order to implement by January 1, 2023. The agency plans on doing more rulemaking as they undertake initial implementation and gather feedback from various stakeholders.

### **Overview**

Local Law 97 is one of the most ambitious plans for reducing emissions in the nation. Local Law 97 was included in the Climate Mobilization Act, passed by the City Council in April 2019 as part of the Mayor’s New York City Green New Deal.

Under this groundbreaking law, **most buildings over 25,000 square feet** will be required to meet new energy efficiency and greenhouse gas emissions limits by 2024, with stricter limits coming into effect in 2030. The goal is to reduce the emissions produced by the city’s largest buildings 40 percent by 2030 and 80 percent by 2050. The law also established the Local Law 97 Advisory Board and Climate Working Groups to advise the city on how best to meet these aggressive sustainability goals.

### **Covered Buildings**

Local Law 97 generally covers, with some exceptions:

- Buildings that exceed 25,000 gross square feet;
- Two or more buildings on the same tax lot that together exceed 50,000 square feet;
- Two or more buildings owned by a condo association that are governed by the same board of managers and that together exceed 50,000 square feet.

The DOB has issued a list of all buildings found to be eligible under the law: [NYC DOB Covered Buildings List](#)

There are certain buildings that will comply with the law through alternative compliance pathways, including rent regulated housing. The list can be found [here](#).

NYC HPD also provides guidance for [affordable housing](#) compliance with Local Law 97.

DOB information on emissions limits can be found [here](#)

## **Timetable**

The buildings covered by Local Law 97 will be required to file a report with DOB by May 1, 2025 detailing their annual greenhouse gas emissions and then by May 1 of every year after. The report must be certified by a registered design professional. Buildings that are required to undertake prescriptive measures (e.g. Affordable Housing) will also be required to submit a report of compliance with the Department by May 1, 2025.

## **Upcoming Key Dates**

*May 1, 2025:* First compliance report due for most covered buildings, including multifamily buildings with 35% or greater rent regulated units and houses of worship. Please refer to the [Covered Buildings List](#) to determine if your building falls into this category. It may also include certain Co-Ops and NYCHA housing.

*May 1, 2027:* First compliance report due for multifamily buildings with up to 35% or greater rent regulated units.

*May 1, 2036:* First compliance report due for multifamily buildings with only income-restricted housing (with no rent regulated units).

## **Rulemaking and Advisory Committee**

- NYC DOB finalized [Rule 103-14 for Local Law 97](#) in December 2022. This rulemaking specifies details on property types, 2030's electricity carbon coefficient, emissions limits for later compliance periods, renewable energy credits, and guidance for technical compliance. ([Urban Green Council](#))
- When these rules were finalized earlier this year, the DOB stated there will be future rulemaking on Local Law 97.
- As a part of the law an [Advisory Board](#) was formed and their recommendations were issued in December 2022. The report can be found [here](#).

## **Helpful Links**

- 2022 NYC Administrative Code: [§28-320](#) & [§28-321](#)
- Greenhouse Gas Emission Reporting website: [Greenhouse Gas Emission Reporting - Buildings \(nyc.gov\)](#)
- [NYC Sustainable Buildings](#) website
- The [NYC Accelerator](#)
- Urban Green Council: [Video recording](#) of LL97: UNPACKING THE PROPOSED RULES
- Building Energy Exchange (BEEX): [Video recording](#) of Climate Mobilization Act Series: Following the Rules; Unpacking LL97 Rulemaking

*This brief was prepared for the Parkside Group for informational purposes only and shall not be considered legal advice. The information provided here by the NYC Department of Buildings (unless otherwise noted) is current as of April 24, 2023.*