

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2010**

No. 5

Introduced by Council Members Gennaro, Garodnick, Chin, Fidler, Gentile, James, Lander, Lappin, Mark-Viverito, Reyna, Sanders Jr., White, Williams, Halloran, Koo and Vann

A LOCAL LAW

To amend the New York city charter and the administrative code of the city of New York, in relation to streamlining approvals for environmentally beneficial technologies, design and construction techniques, materials and products.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that new technologies, materials and products that address environmental concerns are rapidly being developed, and many building owners and developers are eager to implement them. However, there are often no rules governing the use of new “green” technologies, design and construction techniques, materials and products. There are also interagency regulatory issues, which can effectively prohibit or delay projects that utilize new technologies. Many innovative green building projects have difficulty obtaining permits because the technologies introduce interdisciplinary issues that are hard to regulate by separate agencies. Nonetheless, the City benefits from the experimental efforts of early adopters and should facilitate their work.

The Council further finds that coordinating activities among city agencies may expedite the adoption of sustainable building practices and technologies materials and products providing the range of environmental, sustainability and health benefits

associated with green building.

Therefore, the Council finds that it is in the best interests of the City to consolidate the activities of key agencies within a single interagency task force to be headed by the Director of the Mayor's Office of Long-Term Planning and Sustainability and to create within the Department of Buildings an Innovation Review Board to review new green technologies, design and construction techniques, materials and products and advise the Commissioner of Buildings under what conditions and for what purposes they may be safely employed in New York City.

§2. Section 20 of the New York city charter is amended by adding a new subdivision i to read as follows:

i. Interagency green team. 1. There is hereby established within the office an interagency green team under the management of the director or the director's designee to facilitate the use of innovative technologies, design and construction techniques, materials or products that may have significant environmental and sustainability benefits and to assist innovative projects in addressing city agency regulatory requirements.

2. The interagency green team shall include as members the commissioners of buildings, environmental protection, transportation, design and construction, health and mental hygiene and the chairperson of the city planning commission, or their respective designees, and such other members as the director shall designate. The director shall also designate members from among the fire commissioner and the commissioners of parks and recreation, consumer affairs, emergency management, housing preservation and development, sanitation, and the chairperson of the landmarks preservation commission, or their respective designees, with respect to specific matters being

considered by the interagency green team where the director determines it appropriate to do so.

§3. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding a new section 28-103.1.3 to read as follows:

§28-103.1.3 Innovation review board. There is hereby established within the department an innovation review board which shall include as members in addition to the commissioner, the commissioners of environmental protection, health and mental hygiene and design and construction and the chairperson of the city planning commission, or their respective designees. The commissioner shall also designate members from among the fire commissioner and the commissioners of transportation, parks and recreation, consumer affairs, emergency management, housing preservation and development and sanitation and the chairperson of the landmarks preservation commission, and non-governmental organizations and individuals, or their respective designees, with respect to specific matters being considered by the board where the commissioner determines it appropriate to do so.

§28-103.1.3.1 Meetings and recommendations. The commissioner shall convene the innovation review board at least quarterly, or more often as the commissioner may deem necessary to address issues in a timely manner to (i) review specific projects that propose to employ new technologies, design or construction techniques, materials or products, (ii) review proposals for approval of and to initiate reviews of such of new technologies, design or construction techniques, materials or products in order to determine their environmental and sustainability benefits, (iii) make recommendations as

to under what conditions and for what purposes each may be appropriately employed in New York city, and (iv) streamline approvals of specific innovative projects. If the board recommends that a technology, design or construction technique, material or product may appropriately be employed, the commissioner shall consider such recommendation and may by rule or other method as the commissioner deems appropriate, authorize the use of such technology, design or construction technique, material or product and under what conditions and for what purposes each may be appropriately employed. The commissioner shall state in writing to the interagency green team established pursuant to subdivision i of section twenty of the charter what action the commissioner shall take with respect to each such recommendation and the reasons for the action taken.

§4. This local law shall take effect one hundred twenty days after enactment, provided, however, that the commissioner of buildings and the director of the mayor's office of long-term planning and sustainability shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onMarch 3, 2010..... and approved by the Mayor onMarch 18, 2010.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 5 of 2010, Council Int. No. 77) contains the correct text and was passed by the New York City Council on March 3, 2010, approved by the Mayor on March 18, 2010 and returned to the City Clerk on March 18, 2010.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.

