NYC Energ Conservation Code FAQ

Note. In these FAQ’s, Energy Code questions have been generalized, summarized, rephrased, and/or highlighted. These FAQ’s are intended:
1) To provide general guidance for the job applications seeking compliance with the 2016 NYCECC;
2) Not to replace or represent the entire 2016 NYCECC and related regulations of the City of New York and the Department of Buildings; and 3) Not to provide complete compliance solutions for any particular type of job or work. Comprehensive mandates, applicability, exemptions, exceptions and options will be found in the 2016 NYCECC and related regulations of the City of New York and the Department of Buildings.

Administrative/Forms/Inspections

Administrative/Forms/Inspections Question #1:
Exit Signs have been removed from the TR-8 form. Are Exit Signs are no longer a required item on the TR8?

Administrative/Forms/Inspections Answer #1:
The "Exit Signs" progress inspection was deleted from the TR8 form published on September 2016, however exit signs are still required to meet the code requirements of 5 Watt/side. For projects subject to the 2014 NYCECC or earlier, see What Applies When, either the “new” TR8 form without the exit sign progress inspection or the older TR8 form are acceptable.

Administrative/Forms/Inspections Question #2:
The 2016 NYCECC requires air leakage testing on certain buildings. What progress inspections are required on the TR8 form so that the air leakage requirements are met?

Administrative/Forms/Inspections Answer #2:
Any new building that is required to comply with the residential provisions of the 2016 NYCECC is required to perform both IIA6 Air sealing & insulation – visual and IIA7 Air sealing and insulation - testing and indicate “yes” in Section 3A of the TR8 form.

Any new building that is required to comply with the commercial provisions of 2016 NYCECC and is between 25,000 and 50,000 sqft of floor area and less than or equal to 75 feet in height is required to perform IIA7 Air sealing and insulation - testing and indicate “yes” in Section 3A of the TR8 form.

Any new building that is required to comply with the commercial provisions of 2016 NYCECC and is greater than or equal to 50,000 sqft in floor area is required to perform both IIA6 Air sealing & insulation – visual, if the Air Barrier Continuity Plan is the chosen method of compliance, or IIA7 Air sealing and insulation – testing, if whole building pressurization testing is the chosen method of compliance.

All other buildings required to comply with the commercial provisions of the 2016 NYCECC shall require either IIA6 Air sealing & insulation – visual or IIA7 Air sealing and insulation - testing.

Administrative/Forms/Inspections Question #3:
Is an inspection for a direct vent gas fire place required?

Administrative/Forms/Inspections Answer #3:
Tight-fitting noncombustible fireplace doors to control infiltration losses are required on all wood-burning fireplaces, fireplaces listed and labeled in accordance with UL127, and fireplaces listed and labeled in accordance with UL907 per the 2016 NYCECC, Section R402.4.2. Additionally, the NYC MC, Section 901.7 requires tight-fitting noncombustible fireplace doors be installed on masonry or factory-built fireplaces designed to allow an open burn, decorative appliances installed in a vented solid fuel fireplace (ANSI Z21.60 gas-log style unit), and vented decorative gas fireplace appliances (ANSI Z21.50 unit). If a project contains any of the above fireplaces, the TR8 item for fireplaces shall be identified on the TR8 form as a required inspection.
Administrative/Forms/Inspections Question #4:
Are TR8 inspections required on projects where commissioning is also required? Many of the required progress inspections are duplicative of the commissioning requirements.

Administrative/Forms/Inspections Answer #4:
Although most of the progress inspection requirements may be completed by the commissioning agent, TR-8 inspection items are still required, including testing of HVAC system controls. The testing of HVAC controls does not need to be performed for both the commissioning report and the TR8 inspection report, but the documentation needs to be in both the commissioning report and the TR8 inspection report.

Administrative/Forms/Inspections Question #5:
I have been asked to legalize a building, which has rooftop HVAC units installed that were installed five years ago. They were efficient then, but do not meet the 2016 NYCECC requirements. What should I do?

Administrative/Forms/Inspections Answer #5:
In accordance with §28-104.2.4, the HVAC units and associated controls must be brought into compliance with the current edition of the Energy Code in effect at the time of filing the application to legalize the units.

Administrative/Forms/Inspections Question #6:
I have an alteration 1 application to add a vertical enlargement to a home and to legalize an earlier horizontal enlargement. How should I handle this for the NYCECC compliance? The walls are not insulated nor are the windows. The doors are rated for today’s NYCECC standards.

Administrative/Forms/Inspections Answer #6:
In accordance with §28-104.2.4, the thermal enclosure of the unpermitted enlargement must be insulated and thermal fenestration assemblies installed according to the values required for new construction, either on the exterior or the interior, as per the requirements of Section R502. Additionally, the air barrier testing requirements apply to additions. Exceptions for alterations in Section R503.1 do not apply.

Administrative/Forms/Inspections Question #7:
I am building a one-family home with three stories above grade and a basement. Does the home qualify as a four-story building, and it therefore is subject to 2016 NYCECC Chapter C4 or Appendix CA (NYC amendments to ASHRAE 90.1-2013)?

Administrative/Forms/Inspections Answer #7:
Yes. The Building Code considers a basement as a story and contributes to the total number of stories (see definition of “story above grade plane” in Building Code chapter 2). A cellar as defined by the Building Code does not constitute a story.
Administrative/Forms/Inspections Question #8:
If I am doing a simple apartment renovation, where I am not touching the exterior wall, any lighting, heating, air conditioning, hot water equipment or the electric meter, do I need to state on the PW1 form and in my drawings that my application complies with the NYCECC?

Administrative/Forms/Inspections Answer #8:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS
Climate Zone 4A – 2016 NYCECC Chapter C4 – Alt 2 Application to renovate apartment

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Proposed Design Value</th>
<th>Code Prescriptive Value</th>
<th>Code Citation</th>
<th>Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment #7A renovation to move interior partition and create new bathroom and smaller closet – exterior wall, HVAC, SWH are not affected</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A-101.00</td>
</tr>
</tbody>
</table>

Administrative/Forms/Inspections Question #9:
If I am doing façade work related to Local Law 11 requirements and am repointing or replacing bricks here and there, do I need to state on the PW1 and in my drawings that my application complies with the NYCECC?

Administrative/Forms/Inspections Answer #9:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS: Climate Zone 4A – 2016 NYCECC Chapter C4 – Application to perform Local Law 11 work

<table>
<thead>
<tr>
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<th>Code Prescriptive Value</th>
<th>Code Citation</th>
<th>Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick replacement and repointing in brick and CMU wall with 2” air gap, for Local Law 11 compliance – greatest area of brick replacement is 20 SF</td>
<td>NA</td>
<td>NA</td>
<td>C503.1 and Bulletin 2017-006</td>
<td>A-101.00</td>
</tr>
</tbody>
</table>
Administrative/Forms/Inspections Question #10:
If I am replacing my roofing but not stripping the existing roofing back to the deck or insulation, do I need to state on the PW1 and in my drawings that my application complies with the NYCECC?

Administrative/Forms/Inspections Answer #10:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS: Climate Zone 4A – 2016 NYCECC Chapter C4 – Application to perform roof replacement

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Proposed Design Value</th>
<th>Code Prescriptive Value</th>
<th>Code Citation</th>
<th>Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof recover – neither deck nor insulation will be exposed</td>
<td>NA</td>
<td>No insulation</td>
<td>Section C503.1</td>
<td>A-101.00</td>
</tr>
</tbody>
</table>

Administrative/Forms/Inspections Question #11:
I am replacing the windows on a New York City landmarked building that is not listed on either the National or State Register. The NYC Landmarks Commission requires that the window assemblies be site-built of wood. How can I comply with both Landmarks’ regulations and Energy Code requirements?

Administrative/Forms/Inspections Answer #11:
Landmarked buildings are not considered historic unless the building is also either the National or State Register or certified as eligible for such designation, and must comply with the NYCECC. Section R3 or C3 requires you to use default thermal and solar heat gain values for site-built windows. These default values do not meet the prescriptive values required by the NYCECC in either Chapter R4 or Chapter C4. You have four options:

1. Propose listed (not site-built) wood window assemblies to the Landmarks Commission.
2. Arrange a meeting with both Landmarks and the Department's Energy Code officials to arrive at a solution, possibly finding other ways to mitigate the calculated energy loss in the building.
3. Obtain certification of eligibility from the National or State Historic Preservation Office; see the New York City Energy Conservation Code main page for more information.
4. Request a variance from the New York State Department of State; see the Variance section on the New York City Energy Conservation Code main page for more information.
Administrative/Forms/Inspections Question #12:
Are air-supported/membrane structures, such as an inflatable court covers, subject to the requirements of the NYCECC?

Administrative/Forms/Inspections Answer #12:
If the air supported structure is a permanent structure and it is enclosing conditioned space, the structure is subject to the provisions of the NYCECC. If the permit is for a temporary structure, as described in section 28-111 and BC 3103, it can be exempt as per, 1 RCNY 5000-01 (e)(2)(iii).

Administrative/Forms/Inspections Question #13:
Is the Energy Code applicable for a project that is using a "shield" to protect from rain/snow etc. for an enclosed sidewalk café? Can be the structure be classified as a temporary structure?

Administrative/Forms/Inspections Answer #13:
Any building enclosure is required to meet the provisions of the NYCECC, unless one of the exemptions are met. If the sidewalk café enclosure is conditioned, the NYCECC requirements will be enforced for envelope, HVAC and lighting provisions. If the sidewalk café enclosure is unconditioned, then the Energy Code envelope requirements are exempt, HVAC is not present due to an unconditioned space, but lighting would still be subject to the NYCECC requirements.

Administrative/Forms/Inspections Question #14:
Are construction trailers subject to the requirements of the NYCECC?

Administrative/Forms/Inspections Answer #14:
Construction trailers are considered temporary structures and thus are exempt from the requirements of the NYCECC. RCNY 5000-01(e)(2)(iii) states “Temporary structures (as described in sections 28-111 and BC 3103) are exempt from compliance with the Energy Code.

Administrative/Forms/Inspections Question #15:
A new core and shell office building contains many unfinished interior spaces to which a lease agreements have not yet been signed. The spaces are equipped with core electrical and HVAC capacities and temporary lighting. Does this space have to comply with the NYCECC, including the temporary lighting?

Administrative/Forms/Inspections Answer #15:
In tenant fit-out spaces, all equipment that is in the scope of work, must comply with the requirements of the NYCECC. Where temporary lighting is part of the scope of work, the temporary lighting must comply with all of the applicable Lighting & Power requirements, including lighting power densities and controls requirements.
Administrative/Forms/Inspections Question #16:
Are prefab or factory-made homes subject to compliance by the state and not the NYCECC?

Administrative/Forms/Inspections Answer #16:
While the individual modular homes are certified by NYS, the total home assembly is not and will need to comply with the NYCECC. The following is required as minimum compliance with the NYCECC:
1. Statement on the drawings that the home is certified by NY State,
2. Statement on the drawings that the home complies with the 2016 NYCECC,
3. Documentation that the home was certified by NY State,
4. List of applicable progress inspections, including:
   a. Air sealing and insulation - visual - IA6
   b. Air sealing and insulation - testing - IA7
   c. Electrical energy consumption - IC1
   d. Maintenance Information - ID1
   e. Permanent Certificate - ID2
   f. Solar Ready Requirements - ID3

Administrative/Forms/Inspections Question #17:
Is there an NYC-amended version of ASHRAE 90.1-2013 in COMcheck?

Administrative/Forms/Inspections Answer #17:
There is not an NYC-amended version of ASHRAE 90.1-2013 in COMcheck. Therefore, a compliant COMcheck using ASHRAE 90.1-2013, may result in non-compliance with the 2016 NYCECC Appendix CA (NYC modification to ASHRAE 90.1-2013). ComCheck ASHRAE 90.1-2013 may be used to show compliance with the 2016 NYCECC Appendix CA (NYC modification to ASHRAE 90.1-2013), however some of the mechanical and lighting provisions have been amended. The design shall meet the requirements in the code, not only the requirements in ComCheck. Keep in mind that each of the proposed values in the ComCheck report and those values that are not listed in the ComCheck report shall be listed in the Supporting Documentation Index and keyed to the appropriate detail throughout the construction documents. A sample of the Supporting Documentation Index is found in Figure 2 of RCNY 5000-01.

Administrative/Forms/Inspections Question #18:
What approaches are acceptable for demonstrating compliance with NYCECC when the glazing exceeds 40% of the above grade wall area?

Administrative/Forms/Inspections Answer #18:
Buildings where the window-wall ratio exceeds 40% may comply with either 2016 NYCECC or ASHRAE 90.1-2013 as modified by Appendix CA by using either ComCheck or Energy Modeling as the energy analysis method. Buildings following the 2016 NYCECC with a window-wall ratio over 40% would only be able to show compliance using ComCheck if both the minimum daylight area and the daylighting control provisions are met per C402.4.1. The ComCheck software uses Section C402.1.5 to determine envelope compliance with the 2016 NYCECC, and uses Appendix C of ASHRAE 90.1-2013 to determine envelope compliance with ASHRAE 90.1-2013. See Admin, Forms, and Inspection Question #17 for ComCheck compliance using ASHRAE 90.1-2013.
Administrative/Forms/Inspections Question #19:
The approved drawing set for a building shows exterior rigid insulation on all of the above-grade walls. During construction, insulation was not installed on one portion of a wall. The components of the building deviated from the approved drawings and plans, but still comply with Energy Code. What is the process for showing compliance?

Administrative/Forms/Inspections Answer #19:
All changes made during construction need to be documented and submitted to the DOB on an EN2: As Built Energy Analysis form. In this situation, the progress inspector (TR8 agent) responsible for the envelope insulation inspection should choose the box on the EN2 form indicating either that the revised energy analysis is attached with the EN2 form or that the last revised energy analysis was previously submitted and approved as a post-approval amendment (PAA) and indicate the approval date. The TR8 Progress Inspectors need to sign off on the EN2 form stating that the revised energy analysis conforms to the as-built conditions that were witnessed during construction. Please also refer to Section 28-104.3 of the Administrative Code.

Administrative/Forms/Inspections Question #20:
We are working on a renovation of a building that is following the 1968 Building Code for compliance. I was told that the Energy Code is not applicable for buildings complying with the 1968 BC, is this true?

Administrative/Forms/Inspections Answer #20:
No, this is not true. The requirements for the NYCECC are based on the original file date of the drawings. For a renovation project that is filing today, the 2016 NYCECC applies to the scope of the renovation. Please refer to the “Energy Code Version Table: What Applies When” for details: https://www1.nyc.gov/assets/buildings/pdf/energy_code_table.pdf
**Envelope**

**Envelope Question #1:**
The Component performance alternative method listed in Section C402.1.5 in the 2016 NYC Energy code is one of the paths for showing envelope compliance. If this envelope compliance path is followed, how can I document compliance?

**Envelope Answer #1:**
The component performance alternative is the algorithm the ComCheck software uses to determine compliance with the Commercial provisions of the 2016 NYCECC (and also the 2015 IECC). So, if you would like to verify compliance with C402.1.5, the ComCheck report is required for the Energy Analysis. US Department of Energy has a presentation on ComCheck Basics for the 2015 IECC and ASHRAE 90.1-2013 compliance: [https://www.energycodes.gov/resource-center/training-courses/comcheck-basics](https://www.energycodes.gov/resource-center/training-courses/comcheck-basics)

Keep in mind that each of the proposed values in the ComCheck report shall be listed in the Supporting Documentation Index and keyed to the appropriate details throughout the construction documents. A sample of the Supporting Documentation Index is found in Figure 2 of [RCNY 5000-01](#).

**Envelope Question #2:**
What approaches are acceptable for demonstrating compliance with NYCECC when the glazing exceeds 40% of the above grade wall area?

**Envelope Answer #2:**
Buildings where the window-wall ratio exceeds 40% may comply with either 2016 NYCECC or ASHRAE 90.1-2013 as modified by Appendix CA by using either ComCheck or Energy Modeling as the energy analysis method. Buildings following the 2016 NYCECC with a window-wall ratio over 40% would only be able to show compliance using ComCheck if both the minimum daylight area and the daylighting control provisions are met per C402.4.1. The ComCheck software uses Section C402.1.5 to determine envelope compliance with the 2016 NYCECC, and uses Appendix C of ASHRAE 90.1-2013 to determine envelope compliance with ASHRAE 90.1-2013. See Admin, Forms, and Inspection Question #17 for ComCheck compliance using ASHRAE 90.1-2013.

**Envelope Question #3:**
The approved drawing set for a building shows exterior rigid insulation on all of the above-grade walls. During construction, insulation was not installed on one portion of a wall. The components of the building deviated from the approved drawings and plans, but still comply with Energy Code. What is the process for showing compliance?

**Envelope Answer #3:**
All changes made during construction need to be documented and submitted to the DOB on an EN2: As Built Energy Analysis form. In this situation, the progress inspector (TR8 agent) responsible for the envelope insulation inspection should choose the box on the EN2 form indicating either that the revised energy analysis is attached with the EN2 form or that the last revised energy analysis was previously submitted and approved as a post-approval amendment (PAA) and indicate the approval date. The TR8 Progress Inspectors need to sign off on the EN2 form stating that the revised energy analysis conforms to the as-built conditions that were witnessed during construction. Please also refer to Section 28-104.3 of the Administrative Code.
Envelope Question #4:
I’m designing an eight-story multifamily building with 3 inches of continuous rigid insulation (R-15) on the exterior wall with uninsulated balconies. The code requirement is R-11.4ci. Can this project use the R-value method to comply?

Envelope Answer #4:
For the R-value requirement of R-11.4 to be met, the entire wall assembly must have continuous insulation. The R-value requirement of R-11.4 ci is not met since this project contains uninsulated balconies, without insulation. For insulation to be considered continuous, an allowance for 20 gage 1-inch clips spaced no closer than 24 in. on center horizontally and 16 in. on center vertically, is permitted, as described in ASHRAE 90.1-2013 Appendix A, Section A3.1.2.2.

To show compliance, the U-factor of the insulated wall assembly must be calculated using ASHRAE 90.1-2013 Appendix A. The U-factor of the uninsulated balcony needs to also be calculated with the thickness of the uninsulated balcony being that of the adjacent wall assembly thickness. For an example on how to input this wall type into ComCheck, see figure BE-7 of the How-to Guide: Supporting Documentation – Building Envelope.

Envelope Question #5:
We have a renovation project in a building where the windows in the 1st floor apartments need to be replaced due to storm damage. The owner would like to use aluminum windows but they do not meet the energy requirements for U value. Is it acceptable to increase the insulation in the walls to make up for the deficiency in the windows? The upper levels of the building are not part of the project.

Envelope Answer #5:
The replacement windows are required to meet the U-factor and SHGC requirements. Trade-offs are not available for the building envelope when performing an alteration, unless the energy modeling compliance path is chosen.

Envelope Question #6:
What are the Energy Code requirements for window product rating? What documentation is required to be on site? Is it sufficient for construction teams to have the window testing reports available on site or are NFRC labels required? If NFRC labels are required, is it mandatory for projects to display NFRC stickers on all windows installed in the building?

Envelope Answer #6:
All windows are required to be labeled and certified by the manufacturer per the 2016 NYCECC Sections R303.1.3 and C303.1.3. For a product that does not have a label, such as site-built windows, a default value for U-factor should be used, as per the previous code sections.

A physical “label” or sticker on the window is not required, as long as submittals that certify the labeling of each unit accompany the product and can be traced to each unit, upon review by the TR8 Inspector. The Department has the authority to request such certification.
Envelope Question #7:
What is a blower door test? When is it required?

Envelope Answer #7:
A blower door test is the colloquial term for an air leakage pressurization test, during which a fan is mounted into the frame of an exterior door and either pressurizes or depressurizes the building to a pressure difference of 50 Pascals (approximate equivalent of a 20 mph wind). The 2016 NYCECC Section R402.4.1.2 now requires that all buildings subject to the residential provisions perform this test on the building at a pressure of 50 Pascals and that a third party certify that no more than 3 air changes per hour escapes the building thermal envelope. The 2016 NYCECC also requires that buildings between 25,000 and 50,000 square feet and less than 75 feet in height perform a blower door test and certify that the air leakage is less than 0.4 cubic feet per minute of enclosed building area, per Section C402.5.1.3. Buildings requiring air leakage testing and containing multiple dwelling units may follow the sampling protocol listed in Section R402.4.1.2.3.

Envelope Question #8:
What are the necessary steps to take if I fail my blower door test?

Envelope Answer #8:
If a building fails the required air leakage test by exceeding the minimum leakage rate, the building must be sealed and retested until the air leakage rate does not exceed the minimum target. A building cannot be signed off (i.e. obtain a certificate of occupancy) until the air leakage test is met and passed.

Envelope Question #9:
We are working on construction of a new building; a small portion of the building will have two elevations that will incorporate a preserved National Register façade. Does this qualify as an exempted structure?

Envelope Answer #9:
Any ‘new building’ or addition to an existing building is not considered historic according to the NYCECC and would have to comply with the provisions of the code. Depending on how the façade is incorporated into design, that portion of the building may be exempt as historic. But, if an entirely new wall is incorporated with only the façade remaining, then that wall and the remainder of the new construction work shall comply with the provisions of the code – with one caveat, if adding insulation to that portion of the existing wall would create a hazardous or unsafe condition or would result in a condition such as freeze-thaw and cracking of the element, blockage of a vented drainage cavity, or condensation or mold in or around the element, the insulation for that portion alone may be limited to the original thermal value. This caveat is outlined in Section 3 of the Buildings Bulletin 2017-006.

Envelope Question #10:
I’m working on the renovation of a building located in a Historic District, which is on the national register of historic places. The renovation will include replacing windows, replacing interior lighting and installing new HVAC systems. There will also be an addition to the penthouse floor. Is this project exempt from the energy code?

Envelope Answer #10:
If the building is a contributing building located in a Historic District listed on the national register of historic places, then it may be exempt from the energy code. However, if the building is not contributing to the historic district, then any renovation must comply with the NYCECC per CS or RS. Any addition to an existing building is not considered historic according to the NYCECC and would have to comply with the provisions of the code.
Envelope Question #11:
An existing 5-story building is used for commercial purposes and will be converted to residential space. The existing mass walls are uninsulated and have no cavities. The scope of work includes adding windows but not insulating the existing walls. The new windows would comply with [Section C402](#) and the overall glazing area would be under 40%. Do the existing walls need to be brought into compliance with [Section C402](#)?

Envelope Answer #11:
Section [C505](#) of the 2016 NYC Energy Conservation Code states: “Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.” The building shall be brought into compliance with the 2016 NYCECC if the proposed spaces will increase the demand in energy from the existing spaces. We are unable to tell from a general description, such as ‘commercial purposes’, of the occupancy type of the existing building. When documenting a conversion from one occupancy to another, the applicant should be as specific as possible.

If the existing building was a warehouse, clearly this will be an increase in energy demand when converting to residential occupancy and full code compliance is required. If the building is an office space, there may or may not be an increase in energy demand when converting to residential occupancy. If there is no increase in energy demand, then the existing walls, as described, would not need to be brought up to full code compliance.

Envelope Question #12:
How does one identify a third party that can perform blower door testing?

Envelope Answer #12:
The department requires that the air leakage testing is performed by a third party, independent of the permit holder, and is observed by an approved progress inspection agency, which is defined in [RCNY 101-07](#).

The table on page 4 of 1 [RCNY 101-07](#) lists the qualifications necessary for energy code compliance inspections - which would include blower door testing.

Envelope Question #13:
I’m working on a new building that is greater than 50,000 square feet. One of the code provisions is to provide an Air Barrier Continuity Plan (ABC Plan), but we don’t know what the department is looking for. Please provide an example of the ABC Plan.

Envelope Answer #13:
The Air Barrier Continuity Plan is a mandatory requirement for all projects with conditioned floor area greater than 50,000 square feet. It requires that each unique joint or seam in the building envelope is specified in the construction documents and clearly indicates the air barrier materials and details of each. Ideally, the list of unique joints and seams are placed in a schedule, identifying the location of each detail, and also including information such as the typical joint and seam conditions, testing method options for each joint or seam, sampling rates of testing, quality control process in the test, and guidelines for test reports and final certificates.

For more information, see page BE-5 of the [How-To Guide: Supporting Documentation – Building Envelope](#).
Envelope Question #14:
The requirement for vestibules at exterior doors in commercial buildings appears to cover not just building entrances but any exterior door that does not meet one of the listed exceptions. Are doors leading from office space to an exterior terrace in a high-rise office tower required to have vestibules?

Envelope Answer #14:
The doors that you have described are not considered building entrances, as they are used to access balconies/terraces and not used ordinarily to gain access to the building. The definition of building entrance is any doorway, set of doors, revolving door, vestibule, or other form of portal that is ordinarily used to gain access to the building or exit from the building by its users and occupants. Assuming the door from an office terrace only provides entry to the office space, and is not used by the public to gain access to the remainder of the building, then a vestibule is not required.

Envelope Question #15:
We’re doing 2016 NYCECC COMcheck for a core and shell retail/office building. However, we were wondering if the owner is responsible for installing the vestibule or is this something that can be installed by the tenant?

Envelope Answer #15:
For a core and shell building application, a note on the drawings indicating that prior to use/occupancy of the space, the tenant/user shall file an Alteration job application with documents that demonstrate the vestibules are configured in compliance with the current NYCECC at the time of submission will suffice.

Envelope Question #16:
Are there air leakage requirements for building vestibules? Or do the provisions of Section C402.5.2 or Section 5.4.3.2 ASHRAE 90.1 (Air leakage requirements for fenestration and doors) only apply to the interior doors?

Envelope Answer #16:
These air leakage requirements pertain to components of the building envelope, not interior construction. These sections relates to fenestration, exterior doors, curtain walls, storefront glazing, revolving doors, and skylights. So there are no air leakage requirements for “vestibules and interior doors.” Any walls of the vestibule that are part of the building envelope must comply with provisions of the NYCECC. Keep in mind that buildings that follow the whole building air leakage testing and show compliance by limiting the air leakage to less than 0.4 cfm/ft2 under a pressure differential of 75 Pascals, are exempt from the specific fenestration and door air leakage requirements.

The air barrier should be continuous (NYCECC C402.5.1 and ASHRAE 5.4.3.1) and is part of the thermal envelope. In general, the exterior envelope of conditioned vestibules shall comply with the requirements for a conditioned space. When following the NYCECC compliance path, the interior envelope of an unconditioned vestibule shall comply with the requirements for a conditioned space. And, when following the ASHRAE compliance path, the interior and exterior envelope of unconditioned vestibules shall comply with the requirements for a semiheated space.

Envelope Question #17:
Are spandrel walls considered opaque walls or fenestration?

Envelope Answers #17:
In general, fenestration is a portion of the wall that allows light through. Spandrel walls are considered opaque walls not fenestration.
Envelope Question #18:
I’m working on a building that has two facades entirely of curtainwall and the overall window to wall ratio is greater than 40%. How can I show compliance with the NYCECC?

Envelope Answer #18:
Buildings where the window-wall ratio exceeds 40% may comply with either 2016 NYCECC or ASHRAE 90.1-2013 as modified by Appendix CA by using either ComCheck or Energy Modeling as the energy analysis method. Buildings following the 2016 NYCECC with a window-wall ratio over 40% would only be able to show compliance using ComCheck if both the minimum daylight area and the daylighting control provisions are met per C402.4.1. The ComCheck software uses Section C402.1.5 to determine envelope compliance with the 2016 NYCECC, and uses Appendix C of ASHRAE 90.1-2013 to determine envelope compliance with ASHRAE 90.1-2013.

See Admin Question #17 for ComCheck compliance using ASHRAE 90.1-2013.

Envelope Question #19:
I am working on an envelope alteration for a commercial building that would increase the area of vision glass on each floor. All vertical mullions will remain untouched but horizontal mullions will be replaced to fit the new area of vision glass. The proposed fenestration will have the same SHGC and U-factor as the existing fenestration, just an increase in area.

How can I show compliance with the NYCECC?

Envelope Answer #19:
The code applies to the scope of work that is being replaced. In this case, you wish to replace the insulated glazing unit (IGU) and only part of the framing. However, the performance is based on the total assembly, thus the horizontal mullions and the IGUs may have to compensate for the existing vertical mullion thermal performance if it remains. You will need to have the manufacturer model the thermal performance and take into account the vertical mullions (using Window and Therm programs). Thus, you would demonstrate that the total assembly meets the code prescribed u-value of 0.38. Any glazing that is replaced must meet the SHGC of 0.40.

Please confirm that while increasing the area of glazing, that you are not exceeding a 40% window to wall ratio (if following ASHRAE), or 30% if following the NYCECC without daylighting controls, or 40% if following the NYCECC with required daylighting controls. If these glazing area limits are exceeded, a whole-building energy model is required, as per C502.2.1.

As a reminder, fenestration that is not certified using the allowed test procedures of Table C402.5.2 will require air leakage testing of the assembly as per C402.5.1.2.2.
HVAC Question #1:
The 2016 NYCECC Section C403.3 Exception 2 contains a paragraph after the exceptions 2.1 and 2.2 stating "The total supply capacity of all fan cooling units not provided with economizers shall not exceed 20% of the cooling supply capacity or 300,000 BTU/H, whichever is greater". Does this paragraph in exception 2 apply to both direct expansion coils and chilled water coils?

HVAC Answer #1:
Yes, the paragraph under subsections 2.1 and 2.2 in the 2016 NYCECC Section C403.3 exception 2 applies to both subsection 2.1 and 2.2 and essentially puts a limit on the capacity of cooling systems that may be installed without an economizer. The ASHRAE compliance path does not have this requirement – therefore if you have a building designed with systems without an economizer, including PTAC, VRF, WSHP, PTHP, systems smaller than 54,000 BTU/h, often using the ASHRAE compliance path is required for compliance.

HVAC Question #2:
For the 2016 NYCECC is there an exception for using VRF without an economizer?

HVAC Answer #2:
Per the 2016 NYCECC, VRF systems are required to have economizers, unless one of the exceptions is met. The indoor fan unit capacity should be used instead of the outdoor condenser capacity to determine the applicability of Exception 2 of Section C403.3. Evaporators (indoor units) less than 54,000 BTU/h may be exempt from the economizer requirements, as long as the capacity of evaporators without an economizer does not exceed the greater of 20 percent of the total supply capacity of all evaporators/fan-cooling units within the building or 300,000 BTU/h.

If using ComCheck for compliance, an exception appears for the outdoor/condenser unit of a VRF system for the reasons below, but not apply to the indoor/evaporator unit:

“The VRF heat pump system is realistically just the outdoor unit that has the compressor side of the system and distributes the refrigerant to the VRF Zone Fan Units. The capacity corresponding to this outdoor unit will likely be close to the load that all the individual indoor zone units call for. This capacity value in turn triggers the economizer requirement to be enforced but in reality, and technically speaking, the VRF outdoor unit cannot have economizers given they just move refrigerant through a system and don’t involve fans and air movement. So, we give the user the ability to exempt the economizer requirement for the VRF outdoor unit using the exception “VRF outdoor/central unit”. The VRF indoor zone/fan units should be specified separately and will generally have a much different and smaller capacity that may or may not trigger the economizer requirement.”
HVAC Question #3:
I’m the mechanical engineer on a 5-story multifamily building project with 20 apartments. We are proposing to install two (2) 1.5-ton PTAC units in each apartment. The 2016 NYCECC Section C403.3 requires an economizer and my design exceeds the 300,000 BTU/h limit in exception 2. How can my design comply with the energy code?

HVAC Answer #3:
The 2016 NYCECC requires economizers on all cooling systems, unless the indoor unit is less than 54,000 BTU/h. All of the PTAC units are 18,000 BTU/h (or 1.5 tons) so all may be exempt from an economizer, however there is a whole building limit on the capacity of cooling systems without an economizer – either 300,000 BTU/h or 20% of the total cooling capacity, whichever is greater. The design in this example has 3 tons (36,000 BTU/h) cooling in each of the 20 apartments – for a total of 720,000 BTU/h cooling capacity in the building. In this example, 300,000 BTU/h is greater than 144,000 BTU/h (20% of 720,000 BTU/h), so 300,000 BTU/h cooling capacity may be without economizers and 420,000 BTU/h cooling must have economizers. PTAC units are typically not equipped with outdoor air economizers – so either outdoor air must be ducted to the space and controlled with the PTAC conditioning requirements, or Appendix CA must be followed. The requirements in Appendix CA (ASHRAE 90.1-2013 with NYC amendments) has similar economizer requirements, however there is no whole building limit of cooling systems without economizers. Keep in mind that projects may only utilize one compliance path for the entire project, so if ASHRAE 90.1 is used for compliance for the mechanical systems, it must also be used for envelope and lighting.

HVAC Question #4:
What triggers the commissioning requirements of Section C408, Systems Commissioning?

HVAC Answer #4:
The commissioning provisions are based on the capacity of the heating and cooling equipment being installed. The threshold is 600,000 BTU/h for heating equipment (inclusive of domestic water heating equipment) and 480,000 BTU/h for cooling equipment (i.e. 20-tons of air conditioning). Renewable energy systems (i.e. solar panels) are also required to be commissioned if the installed system exceeds 25 kW.

HVAC Question #5:
Are TR8 inspections required on projects where commissioning is also required? Many of the required progress inspections are duplicative of the commissioning requirements.

HVAC Answer #5:
Although most of the progress inspection requirements may be completed by the commissioning agent, TR-8 inspection items are still required, including testing of HVAC system controls. The testing of HVAC controls does not need to be performed for both the commissioning report and the TR8 inspection report, but the documentation needs to be in both the commissioning report and the TR8 inspection report.
HVAC Question #6:
Who is allowed to perform the commissioning requirements per Section C408? The only reference I see in the code is from Section C408.2.1 that states the commissioning plan must be developed by an “approved agency”.

Can you please tell me what this means and how an agency gets approved?

HVAC Answer #6:
The requirements of an “Approved Agency” are found in 1 RCNY 101-07 - specifically sections (b) and (c).

Although the Energy Code does not mandate the requirement of a third-party commissioning agent, the above rule does indicate that progress inspection agencies have an obligation to avoid conflicts of interests. Please refer to (c)(3)(ii), “Obligation to avoid conflict of interest. A progress inspector and/or a progress inspection agency shall not engage in any activities that may conflict with their objection judgment and integrity, including, but not limited to, having a financial and/or other interest in the construction, installation, manufacture or maintenance of structures or components that they inspect.”

HVAC Question #7:
What is DOB’s procedure for submitting Commissioning Reports?

HVAC Answer #7:
DOB requires a letter acknowledging that the owner has received the preliminary commissioning report before the required item “Preliminary Commissioning Report Certification” is received in BIS. The approved agency who is performing the commissioning on the building shall certify that the commissioning test procedures and results were completed. The approved agency shall also provide the certified report to the building owner or owner’s authorized agent. The owner, owner’s agent, or approved agency shall send a letter to DOB at cx@buildings.nyc.gov with the project name and project number as the subject line. The letter should include the following: business letterhead, DOB application #, a general description of the equipment commissioned, block and lot #s, address, and from which company the report was received. This letter is not required to be in any specific format.

Please also submit the final commissioning report to cx@buildings.nyc.gov with project name and project number as the subject line. For additional information regarding commissioning, see pages OR-7 and OR-8 of the How-To Guide: Supporting Documentation – Other.

HVAC Question #8:
Is commissioning applicable to either a one or two family new building? I have looked at the following NYCECC sections, and it seems like commissioning may be required for a “two-family” house if it is four stories or more above grade. Is this correct?

HVAC Answer #8:
You are correct that commissioning MAY be applicable to a building that is subject to the commercial provisions of the NYCECC (i.e. 4 story single or two-family home – see the definition of ‘commercial building’) – however, the commissioning provisions are based on the capacity of the heating and cooling equipment. The threshold is 600,000 BTU/h for heating equipment (inclusive of domestic water heating equipment) and 480,000 BTU/h for cooling equipment (i.e. 40-tons of air conditioning). A single or two-family home should never exceed these values, especially with the increased insulation and air tightness requirements in the energy code.
HVAC Question #9:
The code states that motorized dampers are required at most ducts penetrating exterior wall assembly and that they must close when the fan/equipment is not operating. If the fan is programmed to run continuously (ventilation fan or toilet exhaust fan for example), is a motorized damper still required? The fan would never be off therefore the damper would never be closed.

HVAC Answer #9:
Class I motorized dampers are not required in all locations if you meet the exceptions of C403.2.4.3. Those exceptions allow gravity dampers in limited locations. If you do not meet those exceptions, then the damper must be motorized. If you are following ASHRAE 90.1, there are also exceptions to the requirements for motorized dampers. Should you not meet the exceptions and wish to appeal, you may submit a request for a variance to the State. The City is unable to provide a variance to State requirements.

HVAC Question #10:
Do you have to follow the Energy Code if using a "shield" to protect from rain/snow etc. for an enclosed sidewalk café? Can be the structure be classified as a temporary structure?

HVAC Answer #10:
Any building enclosure is required to meet the provisions of the NYCECC, unless one of the exemptions are met. If the sidewalk café enclosure is conditioned, the NYCECC requirements will be enforced for envelope, HVAC and lighting provisions. If the sidewalk café enclosure is unconditioned, then the Energy Code envelope requirements are exempt, HVAC is not present due to an unconditioned space, but lighting would still be subject to the NYCECC requirements.
Lighting

Lighting Question #1:
I’m working on a core and shell office building. The office spaces are unfinished and lease agreements have not yet been signed. The tenant spaces are equipped with electrical and HVAC hook-ups. We are only providing the space with temporary lighting that will be removed once the tenant occupies the space. Does the lighting in this space have to comply with the daylighting requirements of the Energy Code?

Lighting Answer #1:
All spaces within a new building, even those spaces designated for future tenants must comply with all of the applicable requirements in the NYCECC. There is no exemption for lighting within unleased tenant spaces. The Lighting & Power requirements of Section C405 or Section 9 of ASHRAE 90.1, including the lighting power density and daylighting controls requirements must be met. Both compliance paths do not require daylighting in primary sidelighted areas when the total lighting power within the daylight zone is 150 Watts or less. ASHRAE 90.1 Section 9.4.1.1 (e) also does not require daylighting in primary and secondary sidelighted areas when the total lighting power within both the primary and secondary daylight zones is 300 Watts or less.

Lighting Question #2:
I am working on a project that is proposing “manual” controls for retail/commercial spaces through an iPad set-up. Would this be in compliance with NYCECC? I am looking for a specific note stating that manual controls must be affixed to a wall.

The intent of the space is to be a high-end retail store, for which the owner does not want any switches on the walls. There would be a master override ON/OFF switch wire at the cashier/reception desk. In terms of dimming/scenes etc., these would be controlled only by portable code, such as an iPad, to be carried around by the sales associates to adjust the lighting levels. Would this be allowed?

Lighting Answer #2:
The use of an iPad as a lighting control device is acceptable only if it is permanently affixed to a surface of the building or space. In addition, the following conditions are also met:

- Permanent time switch control including the manual override meeting all provisions of C405.2.2.1
- Accessory spaces (storage, office, restrooms) comply with occupancy sensor controls
- iPad controls meet the requirements of manual controls in C405.2.2.3
Lighting Question #3:
Our building is a multifamily building and intended for 24/7 operation, providing lighting reduction in the corridors poses safety and security issues. Additionally, the NYCECC does not require lighting controls in “exit passageways”. My understanding that is a corridor is considered an exit passageway if it is connected to means of egress, such as a stairwell. Am I correct that lighting controls are not required in corridors of multifamily buildings either because it is an “exit passageway” or it is intended for continuous operation?

Lighting Answer #3:
In general, corridors are not exempt from the controls requirements. The 2016 NYCECC Section C405.2 requires that lighting systems are provided with controls – manual controls, either time switch or occupancy sensors, and daylighting controls, where applicable. The Exceptions to Section C405.2 essentially exempt security or life safety lighting from the controls requirements, allowing 24/7 operation. This does not enable all of the lighting in the corridors and stairwells to be exempt from controls, only the specific lighting fixtures that are required for emergency egress are exempt from controls requirements. When however, the corridor is an exit passageway, as defined by the 2014 Building Code Section 1023, no lighting controls are required. Note that an area cannot be considered an exit passageway if an elevator opens into the space (BC 1023.5) – therefore many corridors are not exit passageways.

Additionally, the 2014 Building Code Section 1006.2 lists the foot-candle requirements at the walking surface and allows lighting with controls, and only requires that the illumination level is not reduced below the minimum requirements of Section 1006.2 (typically 1 foot-candle). Therefore, in corridors, only the lighting required to meet the illumination levels of BC Section 1006.2 is exempt from the controls requirements, other lighting must be controlled per the 2016 NYCECC Section C405.2.

Lighting Question #4:
Exit Signs have been removed from the TR-8 form. Are Exit Signs are no longer a required item on the TR8?

Lighting Answer #4:
The "Exit Signs" progress inspection was deleted from the TR8 form published on September 2016, however exit signs are still required to meet the code requirements of 5 Watt/side. For projects subject to the 2014 NYCECC or earlier, see What Applies When, either the “new” TR8 form without the exit sign progress inspection or the older TR8 form are acceptable.
Existing Buildings

Existing Buildings Question #1:
We have a renovation project in a building where the windows in the 1st floor apartments need to be replaced due to storm damage. The owner would like to use aluminum windows but they do not meet the energy requirements for U value. Is it acceptable to increase the insulation in the walls to make up for the deficiency in the windows? The upper levels of the building are not part of the project.

Existing Buildings Answer #1:
The replacement windows are required to meet the U-factor and SHGC requirements. Trade-offs are not available for the building envelope when performing an alteration, unless the energy modeling compliance path is chosen.

Existing Buildings Question #2:
We are working on construction of a new building; a small portion of the building will have two elevations that will incorporate a preserved National Register façade. Does this qualify as an exempted structure?

Existing Buildings Answer #2:
Any ‘new building’ or addition to an existing building is not considered historic according to the NYCECC and would have to comply with the provisions of the code. Depending on how the façade is incorporated into design, that portion of the building may be exempt as historic. But, if an entirely new wall is incorporated with only the façade remaining, then that wall and the remainder of the new construction work shall comply with the provisions of the code – with one caveat, if adding insulation to that portion of the wall would create a hazardous or unsafe condition or would result in a condition such as freeze-thaw and cracking of the element, blockage of a vented drainage cavity, or condensation or mold in or around the element, the insulation for that portion alone may be limited to the original thermal value. This is caveat is outlined in Section 3 of the Buildings Bulletin 2017-006.

Existing Buildings Question #3:
I’m working on the renovation of a building located in a Historic District, which is on the national register of historic places. The renovation will include replacing windows, replacing interior lighting and installing new HVAC systems. There will also be an addition to the penthouse floor. Is this project exempt from the energy code?

Existing Buildings Answer: #3
If the building is a contributing building located in a Historic District listed on the national register of historic places, then it may be exempt from the energy code. However, if the building is not contributing to the historic district, then any renovation must comply with the NYCECC per C5 or R5. Any addition to an existing building is not considered historic according to the NYCECC and would have to comply with the provisions of the code, regardless if the building is contributing to the historic district.
Existing Buildings Question #4:
An existing 5-story building is used for commercial purposes and will be converted to residential space. The existing mass walls are uninsulated and have no cavities. The scope of work includes adding windows but not insulating the existing walls. The new windows would comply with Section C402 and the overall glazing area would be under 40%. Do the existing walls need to be brought into compliance with Section C402?

Existing Buildings Answer: #4
Section C505 of the 2016 NYC Energy Conservation Code states: “Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.” The building shall be brought into compliance with the 2016 NYCECC if the proposed spaces will increase the demand in energy from the existing spaces. We are unable to tell from your description ‘commercial purposes’ of the occupancy type of the existing building.

If the existing building was a warehouse, clearly this will be an increase in energy demand when converting to residential occupancy and full code compliance is required. If the building is an office space, there may or may not be an increase in energy demand when converting to residential occupancy. If there is no increase in energy demand, then the existing walls, as described, would not need to be brought up to full code compliance.

Existing Buildings Question #5:
I am working an envelope alteration for a commercial building that would increase the area of vision glass on each floor. All vertical mullions will remain untouched but horizontal mullions will be replaced to fit the new area of vision glass. The proposed fenestration will have the same SHGC and U-factor as the existing fenestration, just an increase in area.

How can I show compliance with the NYCECC?

Existing Buildings Answer #5:
The code applies to the scope of work that is being replaced. In this case, you wish to replace the insulated glazing unit (IGU) and only part of the framing. However, the performance is based on the total assembly, thus the horizontal mullions and the IGUs may have to compensate for the existing vertical mullion thermal performance if it remains. You will need to have the manufacturer model the thermal performance and take into account the vertical mullions (using Window and Therm programs). Thus, you would demonstrate that the total assembly meets the code prescribed u-value of 0.38. Any glazing that is replaced must meet the SHGC of 0.40.

Please confirm that while increasing the area of glazing, that you are not exceeding a 40% window to wall ratio (if following ASHRAE), or 30% if following the NYCECC without daylighting controls, or 40% if following the NYCECC with required daylighting controls. If these glazing area limits are exceeded, a whole-building energy model is required, as per C502.2.1.

As a reminder, fenestration that is not certified using the allowed test procedures of Table C402.5.2 will require air leakage testing of the assembly as per C402.5.1.2.2.
Existing Buildings Question #6:
I have been asked to legalize a building, which has rooftop HVAC units installed that were installed five years ago. They were efficient then, but do not meet the 2016 NYCECC requirements. What should I do?

Existing Buildings Answer #6:
In accordance with §28-104.2.4, the HVAC units and associated controls must be brought into compliance with the current edition of the Energy Code in effect at the time of filing the application to legalize the units.

Existing Buildings Question #7:
I have an alteration 1 application to add a vertical enlargement to a home and to legalize an earlier horizontal enlargement. How should I handle this for the NYCECC compliance? The walls are not insulated nor are the windows. The doors are rated for today’s NYCECC standards.

Existing Buildings Answer #7:
In accordance with §28-104.2.4, the thermal enclosure of the unpermitted enlargement must be insulated and thermal fenestration assemblies installed according to the values required for new construction, either on the exterior or the interior, as per the requirements of Section R502. Additionally, the air barrier testing requirements apply to additions. Exceptions for alterations in Section R503.1 do not apply.

Existing Buildings Question #8:
If I am doing a simple apartment renovation, where I am not touching the exterior wall, any lighting, heating, air conditioning, hot water equipment or the electric meter, do I need to state on the PW1 form and in my drawings that my application complies with the NYCECC?

Existing Buildings Answer #8:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS
Climate Zone 4A – 2016 NYCECC Chapter C4 – Alt 2 Application to renovate apartment

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Proposed Design Value</th>
<th>Code Prescriptive Value</th>
<th>Code Citation</th>
<th>Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment #7A renovation to move interior partition and create new bathroom and smaller closet – exterior wall, HVAC, SWH are not affected</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A-101.00</td>
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Existing Buildings Question #9:
If I am doing façade work related to Local Law 11 requirements and am repointing or replacing bricks here and there, do I need to state on the PW1 and in my drawings that my application complies with the NYCECC?

Existing Buildings Answer #9:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS: Climate Zone 4A – 2016 NYCECC Chapter C4 – Application to perform Local Law 11 work

<table>
<thead>
<tr>
<th>Item Description</th>
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<th>Code Prescriptive Value</th>
<th>Code Citation</th>
<th>Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick replacement and repointing in brick and CMU wall with 2” air gap, for Local Law 11 compliance – greatest area of brick replacement is 20 SF</td>
<td>NA – Insulation would block air circulation in cavity, creating moisture problems leading to differential expansion and contraction (cracking) and potentially mold</td>
<td>NA – alteration would create hazardous condition</td>
<td>C503.1 and Bulletin 2017-006</td>
<td>A-101.00</td>
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Existing Buildings Question #10:
If I am replacing my roofing but not stripping the existing roofing back to the deck or insulation, do I need to state on the PW1 and in my drawings that my application complies with the NYCECC?

Existing Buildings Answer #10:
Yes. On the PW1 form in Section 10, you need to check compliance. You should then address the specific scope of your work in your energy analysis. We recommend that you use the tabular analysis format for this, see sample below. If no work actually needs to comply with the NYCECC, you can enter NA in the column marked Proposed Values and NA in the column marked Prescriptive Values and provide the citation for the provision that allows you to not comply where applicable. You will also be required to submit a completed TR8 form for plan approval. You can simply check No to all lines, if appropriate, sign and seal the form and submit it with your drawings. The form will not be required for permit or sign-off. See the Energy Code Forms page for more information.

ENERGY ANALYSIS: Climate Zone 4A – 2016 NYCECC Chapter C4 – Application to perform roof replacement

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</tr>
</thead>
<tbody>
<tr>
<td>Roof recover – neither deck nor insulation will be exposed</td>
<td>NA</td>
<td>No insulation</td>
<td>Section C503.1 Exception 5</td>
<td>A-101.00</td>
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</table>
Existing Buildings Question #11:
I am replacing the windows on a New York City landmarked building that is not listed on either the National or State Register. The NYC Landmarks Commission requires that the window assemblies be site-built of wood. How can I comply with both Landmarks' regulations and Energy Code requirements?

Existing Buildings Answer #11:
Landmarked buildings are not considered historic unless the building is also either the National or State Register or certified as eligible for such designation, and must comply with the NYCECC. Section R3 or C3 requires you to use default thermal and solar heat gain values for site-built windows. These default values do not meet the prescriptive values required by the NYCECC in either Chapter R4 or Chapter C4. You have four options:

1. Propose listed (not site-built) wood window assemblies to the Landmarks Commission.
2. Arrange a meeting with both Landmarks and the Department's Energy Code officials to arrive at a solution, possibly finding other ways to mitigate the calculated energy loss in the building.
3. Obtain certification of eligibility from the National or State Historic Preservation Office; see the New York City Energy Conservation Code main page for more information.
4. Request a variance from the New York State Department of State; see the Variance section on the New York City Energy Conservation Code main page for more information.

Note. In these FAQ's, Energy Code questions have been generalized, summarized, rephrased, and/or highlighted. These FAQ’s are intended:
1) To provide general guidance for the job applications seeking compliance with the 2016 NYCECC;
2) Not to replace or represent the entire 2016 NYCECC and related regulations of the City of New York and the Department of Buildings; and
3) Not to provide complete compliance solutions for any particular type of job or work. Comprehensive mandates, applicability, exemptions, exceptions and options will be found in the 2016 NYCECC and related regulations of the City of New York and the Department of Buildings.