

**CITY OF BOSTON
IN CITY COUNCIL**

AN AMENDMENT TO CBC 7-2.2

WHEREAS, In May 2013 City Council passed CBC 7-2.2, the Building Energy Reporting and Disclosure Ordinance (BERDO).

WHEREAS, the purpose of BERDO is to reduce emissions including greenhouse gases from energy production, encourage efficient use of energy and water, and develop investment in a green economy by requiring the reporting and disclosure of annual energy and water use in all large buildings.

WHEREAS, the ordinance currently requires owners of certain non-residential buildings to begin reporting their energy and water use by May 15, 2014.

WHEREAS, for the year 2014 the ordinance also requires the City of Boston to make the reported use information available to the public by October 1.

WHEREAS, the ordinance should be amended so that property owners in the City of Boston are granted 120 days of additional time to familiarize themselves with the ordinance, obtain necessary information from the City of Boston, and arrange for future compliance.

WHEREAS, the ordinance should also be amended to grant an additional two months to the City of Boston to make the use information available to the public.

RECEIVED

NOW THEREFORE,

MAY 20 2014

Be it ordained by the City Council of Boston as follows:

BY: _____

CBC Chapter VII, Section 7-2.2 is hereby amended by striking out subsection (d) in its entirety and replacing it with the following:

(d) Energy and water reporting required for non-City buildings. No later than May 15 of each year, other than 2014, building owners of each building subject to reporting requirements shall accurately report to the Commission the previous calendar year's energy and water use of each building and other building characteristics necessary to evaluate absolute and relative energy use intensity. Energy and water use data shall not include its associated cost. Building owners shall report this information by using the

Energy Star Portfolio Manager or such alternative as the Commission may designate. The initial reports shall occur according to the following schedule:

1. For every non-residential building equal to or greater than fifty thousand (50,000) gross square feet or two (2) or more buildings on the same parcel that equal or exceed one hundred thousand (100,000) gross square feet, the first report shall be submitted no later than September 15, 2014.
2. For every non-residential building equal to or greater than thirty-five thousand (35,000) gross square feet but less than fifty thousand (50,000) gross square feet, the first report shall be submitted no later than May 15, 2016.
3. For every residential building equal to or greater than fifty (50) units or fifty thousand (50,000) gross square feet, or two (2) or more buildings held in the same condominium form of ownership that are governed by the same board of managers that together equal or exceed fifty (50) units or fifty thousand (50,000) gross square feet, the first report shall be submitted no later than May 15, 2015.
4. For every residential building equal to or greater than thirty-five (35) units or thirty-five thousand (35,000) gross square feet, the first report shall be submitted no later than May 15, 2017.

CBC Chapter VII, Section 7-2.2 is further amended by striking out the first sentence of subsection (i) in its entirety and replacing it with the following:

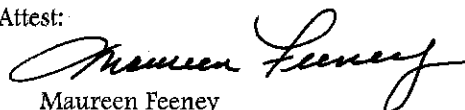
- (i) Disclosure. The Commission shall make energy and water use information for non-City buildings available to the public on the City of Boston website no later than October 1 of every year, except for 2014 in which it shall make such information available to the public no later than December 1, 2014.

CBC Chapter VII, Section 7-2.2 is further amended by adding subparagraph (7) under subsection (j) as follows:

7. Notwithstanding the provisions of this subsection, no building owner or tenant shall be subject to enforcement or penalties for failure to comply with the requirements of this ordinance during the first year of their required compliance set forth in subsection (d).

In City Council May 14, 2014. Passed; yeas 13.
Approved by the Mayor May 14, 2014.

Attest:


Maureen Feeney
City Clerk