

# Proposed Building Energy Reporting & Disclosure Ordinance FACT SHEET



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## Background

In 2010, Mayor Thomas M. Menino Climate Action Leadership Committee recommended that the City establish an energy reporting and disclosure requirement for Boston buildings by 2012. The Leadership Committee further recommended that the reporting be done through Energy Star Portfolio Manager and that the City work with utilities to try to enable automatic transfer of energy data. The establishment of this requirement would "provide

information to owners, residents, and prospective buyers and tenants, and, through education and the operations of the market, create incentives to participate in energy efficiency programs." Energy efficiency in existing buildings is the single most important component of the City's plan to reduce greenhouse gas emissions 25 percent by 2020. New York, Philadelphia, Seattle, San Francisco, Minneapolis and other cities have enacted energy reporting and disclosure requirements in their jurisdictions.

## Proposed Ordinance

Mayor Menino has submitted a proposed energy reporting and disclosure ordinance to the City Council. The basic components of the proposed ordinance are:

Leading by example, the City would annually disclose energy and water use in all its facilities beginning in 2013 for the 2012 calendar year.

All large and medium buildings or groups of buildings would be required to report annual energy use, water use, and greenhouse gas emissions through Energy Star Portfolio Manager or an equivalent mechanism as approved by the Air Pollution Control Commission.

The requirement would first apply to non-residential buildings 50,000 square feet and up in 2014 for the 2013 calendar year, and then, in turn, to residential buildings 50,000 square feet and up, (2015), non-residential buildings 25,000 square feet and up (2016), and residential buildings 25,000 square feet and up (2017).

The City would make energy and water use per square foot, Energy Star ratings, greenhouse gas emissions, and other identifying and contextual information for individual buildings available on the Internet.

Buildings with Energy Star ratings below the 75th percentile and not meeting other exemption criteria would be required to conduct energy audits or other actions every 5 years to identify opportunities for energy efficiency investment. (Energy Star rates buildings from 1 to 100 using comparisons based on type of building, level of use, and other characteristics.) The City would develop the additional exemption criteria, for example, for buildings that do not qualify for any Energy Star rating or that show continuous improvement. Building owners would not be required to act on the audit.

Tenants would be required to provide energy and water use data to building owners.

Failure to comply with reporting requirements could lead to fines for owners or tenants.

The development of regulations and implementation of the ordinance would be overseen by the Air Pollution Control Commission.

## Support & Stakeholder Engagement

Renew Boston is working closely with its utility and other partners to ensure that owners ready to undertake energy efficiency work will find all the technical and financial help they need. The Office of Environmental and Energy Services will work with stakeholders to provide outreach and technical assistance in fulfilling the reporting requirements.

Since summer 2012, EES has been meeting with a wide variety of stakeholders to discuss the best means to implement the requirements of the ordinance. In particular, EES is working with its utility partners to try to facilitate the reporting of energy and water data directly to Portfolio Manager by utilities on behalf of owners.



City of Boston  
Thomas M. Menino, Mayor