

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 42

Introduced by Constantinides, Kallos, Rosenthal, Rivera and Gennaro.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the sustainable energy loan program

Be it enacted by the Council as follows:

Section 1. The definitions of “energy audit” and “energy efficiency improvement” in section 11-3001 of the administrative code of the city of New York, as added by local law number 96 for the year 2019, are amended to read as follows:

Energy audit. The term "energy audit" means a formal evaluation of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the authority, or certified by a certifying entity approved by the authority for purposes of article 5-L of the general municipal law, or certified by the administering agency, for the purpose of identifying appropriate energy efficiency improvements that could be made to *or incorporated into the construction of* the property.

Energy efficiency improvement. The term "energy efficiency improvement" means any *improvement to real property, whether as a component of the new construction of a building or as the renovation or retrofitting of [a] an existing* building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation, and heating and cooling system upgrades, and similar improvements, determined to be cost-effective

pursuant to criteria established by the authority. However, "energy efficiency improvement" shall not include lighting measures or household appliances that are not permanently fixed to real property.

§ 2. Section 11-3001 of the administrative code of the city of New York is amended by adding a new definition of "real property" in alphabetical order to read as follows:

Real property. The term "real property" means any property, an interest in which is or is eligible to be recorded with the city register or the office of the Richmond county clerk by the possessor of such interest.

§ 3. This local law takes effect immediately.

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 on March 18, 2021 and returned unsigned by the Mayor on April 19, 2021.

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

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 42 of 2021, Council Int. No. 2170-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.