

Your Guide to Local Law 88-2009



NYC Local Law 88-2009: Lighting Upgrade and Submetering Requirements

New York City has implemented sustainability targets of generating 50% of its energy from renewable sources by 2030 and reducing its emissions by 80% by 2050 compared to 2005 levels, through the Greener, Greater Buildings Plan (GGBP). LOCAL LAW 88 of 2009 (nyc.gov) is one of four laws addressing energy consumption in the largest of NYC buildings.

LL88 requires all lighting systems in a covered building be upgraded to the requirements of the NYC Energy Conservation Code (NYCECC) and mandatory submetering for all commercial tenants by **January 1, 2025**.

LL 88 also has subsequent expansions in Local Law 132 – 2016 (submetering) https://www.nyc.gov/assets/buildings/local_laws/ll132of2016.pdf and Local Law 134 – 2016 (lighting) https://www.nyc.gov/assets/buildings/local_laws/ll134of2016.pdf which requires most mixed-use residential buildings larger than 25,000 square feet to upgrade lighting and controls in common areas to the latest requirements of NYCECC and install sub-meters for each non-residential tenant space exceeding 5,000 square feet. In addition, monthly energy statements are to be provided to submetered tenants.

LL88 also only requires electricity submetering, although commercial tenant submetering of gas, water, and other shared systems with a BTU meter or similar device which will help owners trend energy usage in preparation of LL91 – 2019 carbon emissions caps in 2024.

LL88 requires upgrades for common areas and tenant spaces for lighting. However, note that lighting systems and associated controls do not need to be upgraded in areas where they are in compliance with the requirements of the NYCECC applicable after July 1, 2010. In addition, for areas with a lighting power density that meets NYCECC as long as these areas are completely isolated from the rest of the building by doors and floor to ceiling divisions.

Lighting Upgrade Requirements:

Any property that meets one of the following requirements is subject to LL88:

- Single buildings with at least 50,000 square feet of floor space.
- Groups of two or more buildings under the same tax lot, adding up to 100,000 square feet.
- Groups of two or more buildings under the condominium form of ownership adding up to at least 100,000 square feet.

Exemptions:

- Properties classified under occupancy groups R2 and R3 are exempt lighting upgrades and submetering, although they must submit a certified report to NYC DOB demonstrating that the property is exempt.
- Houses of worship occupancy group A3 are exempt from lighting upgrades but are required to have metering and submit reports.
- Small residential buildings inhabited by 1 to 3 families are fully exempt from LL88.

Electrical Submetering Requirements:

Submetering is mandatory for all commercial tenant spaces meeting one of the following conditions:

- Spaces above 10,000 square feet rented to the same person, covering one or more floors.
- Floors above 10,000 square feet rented to two or more persons.

Conclusion:

If you are the building owner or a co-op and condo association, you are responsible to comply with Local Law 88. LL88 not only requires lighting upgrades and submetering, but also an inspection report of each space and a certifying letter that each space in the building is in compliance with LL88 or that the work has been completed. The report must be submitted by a professional as follows:

- Registered Design Professional
- Licensed Master Electrician
- Licensed Special Electrician

Contact Us

Ensure that your building is in full compliance with the requirements of NYC Local Law 88-2009. If you need to discuss how we can assist you with the design, please do not hesitate to reach out to our office.

Ryan Soames Engineering can help

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