

## NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the addition to Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding the fee for filings for an adjustment to applicable annual building emission limits for calendar years 2024 – 2029, as set out in section 28-320.8 of the New York City Administrative Code

This rule was first published on December 31, 2020 and a public hearing thereon was held on February 1, 2021.

Dated: 2/3/2021  
New York, New York



Melanie E. La Rocca  
Commissioner

**Statement of Basis and Purpose of Rule**

Local Law 97 of 2019, as amended by local law 147 of 2019, sets building emissions limits for certain buildings in a new Article 320 of Title 28 of the Administrative Code. Section 28-320.8 authorizes the Department to grant adjustments to the buildings emissions limit for certain buildings that have excessive emissions due to a special circumstance.

This rule amends Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York by adding a fee for filing an application for these adjustments for calendar years 2024 – 2029. The fee covers the increase in workload and staffing for the Building Emissions unit.

The authority of the Department of Buildings for this rule is found in sections 643 and 1043 of the New York City Charter and section 28-320.10 of the New York City Administrative Code.

New material is underlined.  
[Deleted material is in brackets.]

Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add, at the end of the table set forth in that section, a new fee for the application for an adjustment to the Building Emissions Limit for Calendar Years 2024 – 2029, as allowed by section 28-320.8, as follows:

<u>Filing an application for a building emissions limit adjustment for calendar years 2024 -2029 pursuant to Section 28-320.8 of the Administrative Code</u>	<u>\$2,450</u>
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