

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on proposed fees for registration of energy auditors or retro-commissioning agents who are not registered design professionals

Date / Time: August 14, 2013 / 10am

Location: Department of Buildings
280 Broadway, 5th Floor
New York, NY 10007

Contact: Gina Bocra
Chief Sustainability Officer
New York City Department of Buildings
280 Broadway, 7th floor
New York, New York 10007

Proposed Rule Amendment

Pursuant to the authority vested in the Commissioner of Buildings by sections 643 and 1043 of the New York City Charter, and in accordance with section 1043 of the Charter, the Department of Buildings proposes to amend Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York relating to fees payable to the Department.

This rule was included in the agency's most recent regulatory agenda.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment to Ms. Bocra by mail or electronically through the NYC Rules website at <http://www.nyc.gov/nycrules> by **August 14, 2013**.
- To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact Ms. Bocra by **July 25, 2013**.
- Written comments and a summary of oral comments received at the hearing will be available until **September 13, 2013** between the hours of 9:00 a.m. and 5:00 p.m. at the Office of the Commissioner, Department of Buildings, 280 Broadway, 7th floor, New York, NY 10007.

STATEMENT OF BASIS AND PURPOSE

This rule is proposed pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter, Article 308 of the New York City Administrative Code and 1 RCNY 103-07.

Article 308 of the Administrative Code requires an energy efficiency audit to be performed by an energy auditor or a retro-commissioning agent and a report to be filed by building owners every ten years. 1 RCNY 103-07 sets out the requirements for those energy auditors and retro-commissioning agents, including a registration requirement for those who are not registered design professionals.

The proposed amendment would add fees for initial registration of those energy auditors and retro-commissioning agents, as well as for registration renewal. These fees will cover the administrative costs incurred by the Department in registering and renewing the registration of these individuals.

In accordance with section 1043(d)(4) of the New York City Charter, a review of this rule pursuant to Local Law 46 of 2010 was not performed.

New matter is underlined.

Section 101-03 of Title 1 of the Rules of the City of New York is amended by adding the following entry at the end of the table set forth in that section:

<u>Registration of energy auditor or retro-commissioning agent who is not a registered design professional</u>	<u>Initial:</u> <u>\$200</u>	<u>Renewal:</u> <u>\$90</u>
--	---------------------------------	--------------------------------