

Draft Newton Electrification Ordinance

Purpose

The City of Newton adopts this Ordinance to require new and substantially remodeled or rehabilitated buildings to use electricity instead of fossil fuels for heating and cooling systems and hot water appliances. The Ordinance will protect the health and welfare of the City's inhabitants and the environment by reducing greenhouse gases, which cause climate change, and by reducing other air pollutants since electricity can be created by solar, wind and other fossil-free sources.

Definitions

"Substantially Remodeled or Rehabilitated" means a renovation that affects 50% or more of the building floor area.

Applicability of Electrification Requirements

Any building project that requires a building permit involving the construction of a new building or a Substantially Remodeled or Rehabilitated Building located or to be located in whole or in part within the City of Newton shall include the installation of heating and cooling systems and hot water appliances that are powered by electricity instead of fossil fuels.

Exceptions

The requirements under this Ordinance do not apply to any of the following:

- A. Indoor and outdoor cooking appliances.
- B. Outdoor heating appliances.
- C. Emergency generators.
- D. Appliances to produce potable or domestic hot water from centralized hot water systems in commercial buildings with a Gross Floor Area of at least 10,000 square feet, provided that the architect, engineer, or general

contractor on the project certifies by affidavit that no commercially available electric hot water heater exists that could meet the required hot water demand for less than 150% of installation costs, compared to a conventional fossil fuel hot water system.

Application Requirements

When applying for a building permit for a new or Substantially Remodeled or Rehabilitated Building, the applicant must submit documents with the application that identify the heating and cooling systems and hot water appliances that will be installed and used in the building. The submitted documents must include, at a minimum, XXX.

Compliance

The Commissioner of Inspectional Services shall not issue any building permit for the construction of a new or Substantially Remodeled or Rehabilitated Building unless the applicant submits the documentation set forth in Section XXX, Application Requirements. The Commissioner of Inspectional Services shall not issue a certificate of occupancy for any building subject to this article prior to inspection and confirmation that the heating and cooling systems and hot water appliances installed in the building comply with the applicant's documents submitted pursuant to Section XXX, Application Requirements.

Waivers

- A. The Commissioner of Inspectional Services may grant a waiver from the provisions of this Ordinance in the event that compliance makes a project financially infeasible or impractical to implement. Compliance with this Chapter may be considered infeasible or impractical to implement if, without limitation, as a result of factors beyond the control of the proponent, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable.
- A. Waiver requests shall be supported by a detailed cost comparison, including available rebates and credits.

- B. Waivers may be subject to reasonable conditions. Where possible, waivers shall be issued for specific portions of a project that are unviable or unsuitable to implement, rather than for entire projects.
- C. The Commissioner of Inspectional Services shall issue guidance on the granting of waivers and the imposition of conditions.

Effective Date

The requirements of this Article XXX shall not apply to any building permit, special permit or comprehensive permit issued prior to the effective date of XXX, 2021 [*insert date amendment approved by City Council and signed by Mayor*].

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