

ORDINANCE NO. 2023-3 - FINAL PUBLICATION

CITY OF CAMBRIDGE

In the Year Two Thousand and Twenty-Three

AN ORDINANCE

In amendment to the Ordinance entitled “Cambridge Municipal Code”

That the Municipal Code of the City of Cambridge be amended to add a new Chapter 15.30 entitled “Fossil Fuel-Free Demonstration” as follows:

**Chapter 15.30 FOSSIL FUEL-FREE DEMONSTRATION**

**§ 15.30.10 Definitions**

**Fossil Fuel-Free Demonstration** – Codified by the entirety of 225 CMR 24.00, the Fossil Fuel-Free Demonstration

**Major Renovation** - Defined as any of the following:

(a) Low-rise residential additions over 1,000 square feet and additions that exceed 100% of the conditioned floor area of the existing dwelling unit,

(b) Additions over 20,000 square feet and additions that exceed 100% of the conditioned floor areas of the existing building for all building use types except low-rise residential,

(c) Level 3 Alterations as defined in the International Existing Building Code (IEBC 2021) in which the work area exceeds 50% of the building area and exceeds 1,000 square feet for residential buildings,

(d) Level 3 Alterations as defined in the International Existing Building Code (IEBC 2021) in which the work area exceeds 50% of the building area or alterations that exceed 20,000 square feet for non-residential building uses,

(e) Change of use of over 1,000 square feet per International Energy Conservation Code (IECC 2021) Sections R505,

(f) Change of use of over 20,000 square feet or change of use of 100% of the conditioned floor areas of the existing building for all building use types except low-rise residential, International Energy Conservation Code (IECC 2021) Sections C505.

**Residential building** - Defined as a building containing one or more dwelling units, and whose use is primarily (greater than 75% of the conditioned floor area) residential.

**Specialized Energy Code** – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

**§ 15.30.20 Purpose**

The purpose of 15.30, also referred to as the Fossil Fuel-Free Demonstration is to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free.

**§ 15.30.30 Applicability**

This restriction applies to residential and non-residential buildings that qualify as new construction or major renovation, as defined in 225 CMR 24.00. This restriction shall not apply to research laboratories for scientific or medical research, hospitals and medical offices regulated by the department of public health as a health care facility as defined in 225 CMR 24.00.

#### **§ 15.30.40 Fossil Fuel-Free Demonstration**

The Fossil Fuel-Free Demonstration, as codified by the entirety of 225 CMR 24.00, is herein incorporated by reference into the City of Cambridge Code of Ordinances, Chapter 15 with an effective date of January 1, 2024 or three months after approval by the Department of Energy Resources (DOER), whichever is later.

With adoption of the Fossil Fuel-Free Demonstration, and upon approval by DOER, the following amendments to the Specialized Energy Code are adopted. These changes are enforceable by the Commissioner of Inspectional Services and will go into effect for any project seeking a Building Permit on or after the effective date.

a. Low-rise Residential Code (225 CMR 22 Appendix RC)

- i. Sections RC102 and RC101 “Zero Energy Pathway” and “Mixed Fuel Pathway” shall not be permitted for use for new construction.

b. Commercial and All Other (225 CMR 23 Appendix CC)

- i. Sections CC103 and CC105 “Zero Energy Pathway” and “Mixed-Fuel Pathway” shall not be permitted for new construction, with the following exceptions:

1. Research laboratories for scientific or medical research,
2. Hospitals regulated by the department of public health as a health care facility,
3. Medical offices regulated by the department of public health as a health care facility.
4. Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027 may utilize gas or propane for domestic water heating as the only combustion equipment.
5. Emergency and standby power systems, as defined as level 1 and level 2 systems in the NFPA 110 (2022) Section 4.4.
6. Equipment in critical use facilities for medical care and intensive research that meet the definitions of Critical Operations Data Systems and Critical Operations Power Systems as defined by the Massachusetts Electrical Code.
7. Commercial cooking equipment used in a restaurant in a building that has applied for a building permit prior to January 1, 2035, provided that the electrical panel has sufficient capacity for the later installation of fully electric food preparation equipment.
8. Heating or domestic hot water that are supplied to a building through a district energy system or central utility plant.
9. Onsite vehicle fueling connections.
10. A waiver may be granted by the Commissioner of Inspectional Services for the use of fossil fuels for manufacturing process loads if the process load cannot physically or reasonably be converted to an all-electric process, as demonstrated by the applicant.
11. A waiver may be granted by the Commissioner of Inspectional Services for any equipment for which sufficient utility electric service cannot be provided by the time of

building occupancy, provided that the applicant shall furnish a letter signed by a design professional and a utility letter describing service limitations. The building owner shall commit to converting said equipment to all-electric within three (3) years of when sufficient electric capacity can be made available by the utility.

12. A waiver may be granted by the Commissioner of Inspectional Services for the following:

Historic buildings, defined in Chapter 2 of the IECC 2021 as any building or structure that is one or more of the following:

- a) Listed, or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
- b) Designated as historic under an applicable state or local law.
- c) Certified as a contributing resource within a National Register-listed, state-designated or locally designated historic district.

Provided that a report has been submitted to the Commissioner of Inspectional Services and signed by a registered design professional, a representative of the State Historic Preservation Office, or the historic preservation authority having jurisdiction, demonstrating that compliance with that provision would threaten, degrade, or destroy the historic form, fabric, or function of the building.

c. Equipment or appliances used for space heating, service water heating, cooking, clothes drying, and/or lighting that can utilize coal, oil, natural gas, other fuel hydrocarbons, including synthetic equivalents, or other fossil fuels may not be installed in the permitted work area as part of any residential or non-residential Major Renovation, with the exception of b.i.1-12 above. All Major Renovations associated with b.i.1-12 must follow applicable stretch code requirements.

d. The Commissioner of Inspectional Services shall have the authority to promulgate regulations for the implementation of the provisions of this Ordinance.

In City Council August 7, 2023.

Ordained as amended by a yeas and nays vote:-

Yeas 7; Nays 1; Absent 0; Present 1

Attest:- Diane P. LeBlanc, City Clerk

A true copy;



ATTEST:-

Diane P. LeBlanc  
City Clerk