



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

August 16, 2022

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled "Petition for a Special Law Re: An Act Authorizing the City of Boston to Establish Fossil Fuel-Free Standards for New Construction and Major Renovation Projects."

This Home Rule Petition will enable the City of Boston to adopt and amend an ordinance that sets restrictions or prohibitions on the use of fossil fuels in new construction and major renovation projects. The resulting ordinance will ensure that we do not further exacerbate the climate crisis as Boston continues to grow, while creating more healthful housing and workplaces for our residents.

This Home Rule Petition also identifies a process to work with our diverse communities to develop an ordinance that centers equity and environmental justice, reduces our contribution to global climate changes, promotes improved public health, supports community resilience, and promotes a just transition for fossil fuel and related industry workers. Achieving these goals is part of creating a Green New Deal for Boston.

I urge your Honorable Body to pass this Home Rule Petition expeditiously.

Sincerely,

Michelle Wu
Mayor of Boston

CITY OF BOSTON

IN CITY COUNCIL

WHEREAS: The City of Boston is committed to reducing dependence on fossil fuels so as to create more healthful housing and workplaces for our diverse communities; and

WHEREAS: The climate crisis is a public health emergency, caused by the combustion of fossil fuels, which not only releases greenhouse gasses that drive global climate change, but also produce particulate matter, ozone, nitrogen dioxide, carbon dioxide and other air pollutants that have been linked to respiratory illnesses and cardiovascular disease; and

WHEREAS: Fossil fuel-based appliances, such as gas stoves or fuel oil boilers, can release elevated levels of indoor air pollutants that exceed national ambient air quality standards, particularly when unvented; and

WHEREAS: Natural gas leaks and unaccounted-for gas place an economic burden on our residents and businesses, and the cost to replace gas infrastructure will be borne for decades and passed onto the next generation; and

WHEREAS: On-site combustion of fossil fuels in buildings accounts for more than a third of greenhouse gas emissions in the City of Boston, contributing to global climate change and local air pollution that disproportionately impact low-income and communities of color in Boston; and

WHEREAS: Energy efficiency is at the core of the City of Boston's decarbonization strategy, and must underpin efforts to transition from fossil fuels to renewable energy, helping to not only limit direct and indirect greenhouse gas emissions from energy consumption, but also to reduce energy demand and costs for building users; and

WHEREAS: Research shows there is little-to-no cost increase for building multi-family housing to a net-zero standard, indicating that it is feasible today to construct high-performance, fossil fuel-free housing, delivering the long-term benefits of increased air quality, lower energy cost burdens, reduced carbon emissions and enhanced thermal comfort to our residents; and

WHEREAS: The City of Boston has adopted a carbon neutrality goal. It is in the interest of public health, safety and welfare of all City of Boston residents, visitors, and businesses to develop and establish fossil fuel-free standards for new construction and major renovation projects; and

WHEREAS: A just transition prioritizes our workers and communities and seeks to create pathways for Boston residents and workers into clean energy and other green jobs; *THEREFORE BE IT*

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

PETITION FOR A SPECIAL LAW RE: AN ACT AUTHORIZING THE CITY OF BOSTON TO ESTABLISH FOSSIL FUEL-FREE STANDARDS FOR NEW CONSTRUCTION AND MAJOR RENOVATION PROJECTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law or rule or regulation to the contrary, the City of Boston is authorized to adopt and further amend a municipal ordinance or zoning regulation that restricts or prohibits new building construction or major renovation projects that do not qualify as fossil fuel-free, including through the withholding or conditioning of building permits.

SECTION 2. Said restrictions or prohibitions shall not apply to research laboratories for scientific or medical research, or to hospitals or medical offices regulated by the department of public health as a healthcare facility.

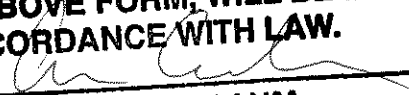
SECTION 3. The ordinance or zoning regulation will establish definitions and criteria for applicability, and timelines for the transition to fossil fuel-free new construction and major renovation projects, that prioritize the joint goals of emissions reduction, resilience, equity and a just transition for workers.

SECTION 4. An Advisory Committee shall be established that reflects a diversity of perspectives and backgrounds from outside stakeholders including representatives from the fields of environmental justice, affordable housing, labor and workers' rights, small business, workforce development, healthcare and public health, building engineering and energy, real estate development and management, architecture, distributed energy systems, or any combination thereof. The Chair and Members of the Advisory Committee will be appointed by the Mayor. The Advisory Committee will meet not less than three times prior to introduction of

said ordinance. The Advisory Committee will collaborate with and advise the City on the ordinance's definitions, criteria for applicability, and transition timelines to fossil fuel-free new construction and major renovation projects.

SECTION 5. This act shall take effect immediately upon signing by the Governor.

**I HEREBY CERTIFY
THE FORGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**

BY 

**ADAM CEDERBAUM
CORPORATION COUNSEL**