# **🚧 DRAFT 🚧**

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# Synopses of Existing Building‑Performance Ordinances

This document summarises the **Building Emissions Reduction and Disclosure Ordinance (BERDO)** adopted by Boston, the **Building Energy Use Disclosure Ordinance (BEUDO)** adopted by Cambridge, and the **Building Emissions Reduction and Disclosure Ordinance (BERDO)** adopted by Newton. These synopses draw on official city sources and include citations for major provisions.

## Boston – BERDO 2.0

Boston updated its Building Energy Reporting and Disclosure Ordinance in 2021, creating a performance standard (commonly called **BERDO 2.0**) that applies to the largest buildings in the city. Key features include:

* **Covered buildings.** BERDO applies to **non‑residential buildings ≥20 000 ft²** and **residential buildings with 15 or more units or ≥20 000 ft²**[[1]](https://www.boston.gov/departments/environment/berdo#:~:text=Who%20is%20covered%3F). Multiple buildings on a single tax parcel are aggregated for coverage[[1]](https://www.boston.gov/departments/environment/berdo#:~:text=Who%20is%20covered%3F).
* **Purpose and targets.** The ordinance aims to reduce air pollution and greenhouse‑gas emissions from large buildings; it requires covered buildings to comply with declining **emissions standards** that decrease over time[[2]](https://www.boston.gov/departments/environment/berdo#:~:text=owners%20who%20need%20extra%20assistance,com). The standards begin in **2025 or 2030** depending on building size and type[[3]](https://www.boston.gov/departments/environment/berdo#:~:text=1,compliance%20year), and all covered buildings must reach **net‑zero emissions by 2050**[[2]](https://www.boston.gov/departments/environment/berdo#:~:text=owners%20who%20need%20extra%20assistance,com).
* **Reporting and verification.** Owners must annually report energy use and greenhouse‑gas emissions through EPA’s Portfolio Manager and comply with third‑party verification requirements in designated **verification years** (e.g., 2026, 2030, 2034)[[4]](https://www.boston.gov/departments/environment/berdo#:~:text=HOW%20DO%20I%20COMPLY%20WITH,PARTY%20VERIFICATION).
* **Compliance pathways.** Building owners can meet emissions caps directly, aggregate multiple buildings into a **portfolio**, adopt **individual compliance schedules**, or apply for **hardship plans**.
* **Alternative compliance and equity.** BERDO established an **Equitable Emissions Investment Fund**. The fund supports projects that reduce building emissions and prioritises **Environmental Justice populations**; it is initially seeded with city funds and will receive revenue from BERDO fines and **alternative compliance payments**[[5]](https://www.boston.gov/departments/environment/equitable-emissions-investment-fund#:~:text=The%C2%A0Building%20Emissions%20Reduction%20and%20Disclosure,established%20to%20support%20this%20goal). A nine‑member **BERDO Review Board** oversees the ordinance and allocates funding.

## Cambridge – BEUDO (2023 amendments)

Cambridge’s **Building Energy Use Disclosure Ordinance (BEUDO)** was adopted in 2014 and amended in 2023 to impose emissions‑reduction requirements on large non‑residential buildings. Key provisions include:

* **Coverage.** Buildings **below 25 000 ft²** are not covered[[6]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Buildings%20below%2025%2C000%20square%20feet,not%20covered%20by%20BEUDO%20regulations), and residential buildings of any size are only required to **report energy and water use**[[7]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Residential%20buildings%2C%20regardless%20of%20size%2C,energy%20and%20water%20use%20data). The 2023 amendments require only larger non‑residential buildings to reduce emissions:
* **Non‑residential ≥100 000 ft²** must reduce greenhouse‑gas emissions to **net‑zero by 2035**[[8]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=%2A%20Non,to%20net%20zero%20by%202035).
* **Non‑residential 25 000–100 000 ft²** must start reducing emissions in **2030** and reach **net‑zero by 2050**[[8]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=%2A%20Non,to%20net%20zero%20by%202035).
* **Benchmarking and baseline.** Covered buildings must benchmark energy and water use annually using ENERGY STAR Portfolio Manager[[9]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Owners%20of%20all%20Covered%20Properties,in%20a%20process%20called%20benchmarking). Owners must establish a baseline by averaging emissions over any two consecutive years between 2010–2019 and must verify baseline data as well as all years starting in 2026[[10]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=The%20baseline%20is%20the%20initial,in%20energy%20efficiency%20and%20electrification).
* **Compliance options.** BEUDO allows several mechanisms for achieving net‑zero:
* **Renewable energy procurement.** Beginning in 2026, building owners may purchase renewable electricity through power‑purchase agreements (PPAs and VPPAs)[[11]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Purchase%20Renewable%20Energy%3A%20Starting%20in,VPPAs).
* **Verified Carbon Credits (VCCs).** Starting in 2030, non‑residential buildings ≥100 000 ft² may purchase VCCs to offset a portion of thermal emissions[[12]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Verified%20Carbon%20Credits%3A%20Starting%20in,site%20thermal%20energy%20emissions).
* **Alternative Compliance Payments (ACPs).** Owners may make payments to offset emissions; one **Alternative Compliance Credit** equals one metric ton of CO₂e. The cost for 2026–2030 is **$234 per metric ton**[[13]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Alternative%20Compliance%20Payments%3A%20are%20payments,234%2FmT%20for%202026%20to%202030).
* **Deferrals and hardship compliance plans.** Owners can request deferral of requirements for up to five years and propose hardship plans if they face financial or technical challenges[[14]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Deferrals%3A%20Building%20owners%20can%20apply,for%20up%20to%20five%20years).
* **Equity and use of funds.** City documents explain that monies from alternative compliance credits must be used solely for programs that directly reduce carbon emissions, including projects in **affordable housing**; funds are deposited into a city‑managed account and allocated under guidance from the Affordable Housing Trust (language quoted in the Brookline proposal).

## Newton – BERDO (2024 ordinance)

Newton adopted its own BERDO in December 2024. Salient features include:

* **Covered buildings.** The ordinance initially applies to **commercial buildings ≥20 000 ft²** (institutional and industrial are included). Newton plans to add **residential buildings ≥20 000 ft²** in a later phase[[15]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=BERDO%20Notes%20for%20PEX%20Meeting,vote%20to%20approve%20BERDO%2038)[[16]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=Buildings%20Covered%20%E2%80%A2%20BERDO%20covers,including%20centrally%20heated%20residential%20condos). According to city materials, Newton has **293 commercial buildings** over 20 000 ft² and **120 residential buildings** that will eventually be covered[[15]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=BERDO%20Notes%20for%20PEX%20Meeting,vote%20to%20approve%20BERDO%2038).
* **Emissions scope.** Newton’s BERDO **excludes electricity emissions** from compliance; building owners must report electricity usage but are not penalised for purchased electricity emissions[[17]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=PEX%20vendor%20notes%20%E2%80%A2%20Newton,whole%20building%20all%20at%20once). The ordinance instead targets on‑site fossil‑fuel combustion, giving owners **20–25 years** to achieve zero emissions[[17]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=PEX%20vendor%20notes%20%E2%80%A2%20Newton,whole%20building%20all%20at%20once).
* **Timelines and compliance periods.** The program uses **five compliance intervals** between 2026 and 2050. The first interval begins in **2026–2028**, and standards gradually tighten through **2050**[[18]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Scope%3A%20Includes%20direct%20emissions,year%203%20of%20emission%20standards). Penalties for exceeding standards are not assessed until a standard has been in place for **three years**[[18]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Scope%3A%20Includes%20direct%20emissions,year%203%20of%20emission%20standards).
* **Justification and coverage statistics.** Newton’s BERDO aims to reduce emissions from a small set of large buildings that collectively account for a significant share of the city’s GHG emissions. The city’s presentations note that **293 commercial buildings (1.3 % of Newton’s building stock) produce 23 % of Newton’s total emissions**[[19]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Substantially%20reduces%20Newton%E2%80%99s%20total,strategies%20in%20Greater%20Boston%20area).
* **Program administration.** Newton emphasises simplicity: it uses **Energy STAR Portfolio Manager** for reporting and coordinates with the state’s Large Building Energy Reporting program. Third‑party verification occurs every five years, and fines are directed to local environmental‑justice projects; the city also provides owner assistance and training[[18]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Scope%3A%20Includes%20direct%20emissions,year%203%20of%20emission%20standards).
* **Positive framing and benefits.** Environmental advocates highlight that Newton’s BERDO will help move large buildings off fossil fuels, reduce city‑wide emissions and enable the city to meet its **net‑zero by 2050** commitment. Articles from local environmental groups explain that the ordinance requires commercial buildings to measure emissions and achieve progressively stricter standards while residential buildings report energy use; large buildings account for 23 % of Newton’s GHG emissions, making this ordinance a significant climate tool[[20]](https://greennewton.org/what-is-berdo-answers-to-your-questions/#:~:text=In%20December%202024%2C%20Newton%E2%80%99s%20City,being%20used%20in%20the%20city).
* **Cost concerns.** Press coverage also notes potential costs. A Newton Beacon analysis presented to the City Council estimated that compliance could raise rents by roughly **4 %** for residential and commercial tenants and that capital costs range from **$5–35 per square foot** (amortised over 20 years)[[21]](https://www.newtonbeacon.org/how-much-could-the-proposed-berdo-cost-property-owners/#:~:text=Cost%20of%20compliance). It also noted that the ordinance would cost the city up to **$290 000 per year** for staffing and administration[[22]](https://www.newtonbeacon.org/how-much-could-the-proposed-berdo-cost-property-owners/#:~:text=There%20will%20be%20costs%20to,to%20administer%20the%20BERDO%20program).

## Take‑aways for Brookline

The three ordinances share common elements—coverage thresholds, reporting obligations, progressive emissions targets and alternative compliance mechanisms—yet they reflect different local priorities. Boston’s law is the most comprehensive, imposing emissions caps on both commercial and residential buildings and using an Equitable Emissions Investment Fund to channel resources to environmental‑justice communities[[5]](https://www.boston.gov/departments/environment/equitable-emissions-investment-fund#:~:text=The%C2%A0Building%20Emissions%20Reduction%20and%20Disclosure,established%20to%20support%20this%20goal). Cambridge focuses on large non‑residential buildings and adopts an earlier net‑zero date (**2035** for >100 k ft²) with limited use of offsets and a clear price on alternative compliance credits[[8]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=%2A%20Non,to%20net%20zero%20by%202035)[[13]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Alternative%20Compliance%20Payments%3A%20are%20payments,234%2FmT%20for%202026%20to%202030). Newton emphasises a slower ramp‑up, excludes electricity from compliance, and tailors its program to a small number of large buildings while providing extended timelines and substantial owner assistance[[17]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=PEX%20vendor%20notes%20%E2%80%A2%20Newton,whole%20building%20all%20at%20once)[[18]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Scope%3A%20Includes%20direct%20emissions,year%203%20of%20emission%20standards). These differences offer a spectrum of policy choices for Brookline’s ordinance.

[[1]](https://www.boston.gov/departments/environment/berdo#:~:text=Who%20is%20covered%3F) [[2]](https://www.boston.gov/departments/environment/berdo#:~:text=owners%20who%20need%20extra%20assistance,com) [[3]](https://www.boston.gov/departments/environment/berdo#:~:text=1,compliance%20year) [[4]](https://www.boston.gov/departments/environment/berdo#:~:text=HOW%20DO%20I%20COMPLY%20WITH,PARTY%20VERIFICATION) Building Emissions Reduction And Disclosure | Boston.gov

<https://www.boston.gov/departments/environment/berdo>

[[5]](https://www.boston.gov/departments/environment/equitable-emissions-investment-fund#:~:text=The%C2%A0Building%20Emissions%20Reduction%20and%20Disclosure,established%20to%20support%20this%20goal) Equitable Emissions Investment Fund | Boston.gov

<https://www.boston.gov/departments/environment/equitable-emissions-investment-fund>

[[6]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Buildings%20below%2025%2C000%20square%20feet,not%20covered%20by%20BEUDO%20regulations) [[7]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Residential%20buildings%2C%20regardless%20of%20size%2C,energy%20and%20water%20use%20data) [[8]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=%2A%20Non,to%20net%20zero%20by%202035) [[9]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Owners%20of%20all%20Covered%20Properties,in%20a%20process%20called%20benchmarking) [[10]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=The%20baseline%20is%20the%20initial,in%20energy%20efficiency%20and%20electrification) [[11]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Purchase%20Renewable%20Energy%3A%20Starting%20in,VPPAs) [[12]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Verified%20Carbon%20Credits%3A%20Starting%20in,site%20thermal%20energy%20emissions) [[13]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Alternative%20Compliance%20Payments%3A%20are%20payments,234%2FmT%20for%202026%20to%202030) [[14]](https://www.cambridgema.gov/sustainable/BEUDO#:~:text=Deferrals%3A%20Building%20owners%20can%20apply,for%20up%20to%20five%20years) BEUDO

<https://www.cambridgema.gov/sustainable/BEUDO>

[[15]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=BERDO%20Notes%20for%20PEX%20Meeting,vote%20to%20approve%20BERDO%2038) [[16]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=Buildings%20Covered%20%E2%80%A2%20BERDO%20covers,including%20centrally%20heated%20residential%20condos) [[17]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=PEX%20vendor%20notes%20%E2%80%A2%20Newton,whole%20building%20all%20at%20once) [[18]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Scope%3A%20Includes%20direct%20emissions,year%203%20of%20emission%20standards) [[19]](https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf#:~:text=%E2%80%A2%20Substantially%20reduces%20Newton%E2%80%99s%20total,strategies%20in%20Greater%20Boston%20area) September PEX Meeting

<https://www.nationalgridus.com/media/pdfs/ma/project-expediter-program/2024-september-pex-meeting.pdf>

[[20]](https://greennewton.org/what-is-berdo-answers-to-your-questions/#:~:text=In%20December%202024%2C%20Newton%E2%80%99s%20City,being%20used%20in%20the%20city) What is BERDO? Answers to Your Questions

<https://greennewton.org/what-is-berdo-answers-to-your-questions/>

[[21]](https://www.newtonbeacon.org/how-much-could-the-proposed-berdo-cost-property-owners/#:~:text=Cost%20of%20compliance) [[22]](https://www.newtonbeacon.org/how-much-could-the-proposed-berdo-cost-property-owners/#:~:text=There%20will%20be%20costs%20to,to%20administer%20the%20BERDO%20program) How much could the proposed BERDO cost property owners? - Newton Beacon

<https://www.newtonbeacon.org/how-much-could-the-proposed-berdo-cost-property-owners/>