



# COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

## Massachusetts Cities Seek to Enact Prohibitions on Gas Hookups for New and Existing Construction

BY JOSEPH R. DUQUETTE • SEPTEMBER 1, 2023

Last year, the Massachusetts Department of Energy Resources promulgated regulations at [225 CMR 24.00](#) for the Municipal Fossil Fuel Free Building Construction and Renovation Demonstration Project as authorized by St. 2022, c. 179, § 84, legislation, which permits only 10 cities or towns to adopt and amend general or zoning ordinances or by-laws that require new building construction or major renovation projects to be fossil fuel-free. Last month, Mayor Wu of Boston signed an Executive Order (EO) banning fossil fuels in new city-owned buildings, citing the fact that over 70% of the city's emissions are from buildings. With the implementation of the EO, all new buildings will be planned, designed and constructed so that HVAC, hot water and cooking systems will not combust or directly connect to fossil fuels for all municipal buildings.

On August 7, 2023, Cambridge approved its participation in the Fossil Fuel-Free Demonstration project to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free. Cambridge's ordinance has an effective date of January 1, 2024, or three months after approval by the Department of Energy Resources (DOER), whichever is later.

This push for fossil fuel banning is not just limited to Boston and Cambridge. A new bill currently under consideration, [H.3227](#), seeks to add any cities or towns that are in compliance either with the 10% affordability threshold set under G.L. c. 40B or that have approved a zoning ordinance or by-law that provides for at least one district of reasonable size in which multi-family housing is permitted as of right to be able to require new building construction or major renovation projects to be fossil fuel-free.

Whether or not the bill will pass during this legislative term, one thing that remains clear is that Massachusetts cities and towns are taking their climate change initiatives seriously.

