



BRIEF

Regulation of bird-friendly glass windows set for all new NYC construction

By Kim Slowey

Updated Dec. 11 2019, 1:02 p.m. EST •Published Dec. 9, 2019

UPDATE: Dec. 10, 2019: The New York City Council on Tuesday passed the new regulation requiring bird-friendly material on new construction and major alteration projects by an overwhelming majority.

In a joint statement with the New York City Audubon and other groups, Benjamin Prosky, the executive director of the American Institute of Architects New York Chapter, said, "The materials and techniques that prevent bird collisions are already commonly used for a variety of reasons in our buildings; this legislation mandates their use in ways that also protect birds in cost effective ways, AIANY and its members are proud to have fought for this commonsense bill."

Dive Brief:

- The New York City Council is expected to pass legislation Tuesday designed to prevent bird strikes that will apply to all new construction projects. The council's Committee on Housing and Buildings passed the regulation by unanimous vote Monday.
- The new rule would require that 90% of the external building envelope for the first 75 feet of new construction and major alterations be made of bird-safe materials, including glass

treated with ceramic frits, etchings or frosted patterns, all of which can make glass appear as an obstacle to birds but still provide transparency for humans.

- The rule would also require that bird-friendly materials be installed on the entirety of the first 12 feet of a building's exterior walls that are adjacent to a green roof system, on the entirety of the first 75 feet of fly-through conditions and on the entirety of bird-hazard installations — glass awnings, handrails, windbreak panels and acoustic barriers — no matter the height.

Dive Insight:

The law would go into effect for construction document approval applications filed starting one year from the passage of the legislation.

The bill also specifies that any bird-safe material must comply with a specified "threat factor" based on American Bird Conservancy protocols but may also comply with a relevant ASTM standard.

New York City is positioned on the Atlantic Flyway, according to the New York City Audubon, and traveled by hundreds of thousands of birds each year. Of the 100 million birds killed annually in the U.S. as a result of collisions with buildings — a conservative estimate — 90,000 to 230,000 of those deaths take place in New York City.

The New York City bill, said Andrew Maas, communications manager at NYC Audubon, is one of the most bird-friendly regulations to be proposed. "We definitely hope that other cities will follow [New York City's] lead and enact similar legislation," he said.

The proposal, Maas said, garnered a great deal of support from the city's birding community, which is evidenced by its 21-strong list of

sponsors. Maas added that bird advocates made a point of working with local real estate and development communities to address their concerns about how bird-safety regulations would affect them.

Minnesota bird advocates are likely hoping that U.S. Bank Stadium officials will take a similar bird-safety view when considering the results of a two-year Minnesota Sports Facilities Authority (MSFA) study of bird collisions at the home of the Minnesota Vikings.

At a recent MSFA meeting, according to the Star Tribune, the authority reported that approximately 111 migrating songbirds are killed each year after flying into the stadium's 200,000 square feet of glass. The reflection of the untreated glass appears to birds as trees and open sky. Minnesota Audubon officials said at the MSFA meeting that retrofitting the glass with an appropriate film could reduce collisions by between 80% and 85%.

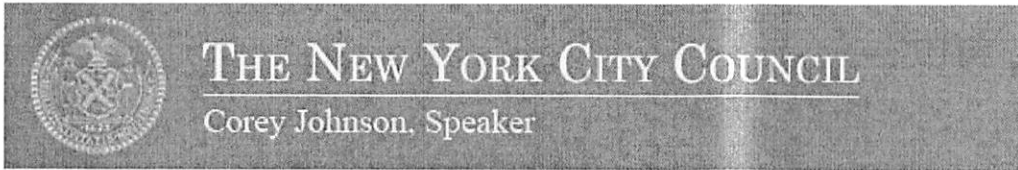
The estimated cost of a retrofit ranges from \$40,000 to \$570,000 for materials alone. The study itself cost \$300,000.

The MSFA, Vikings and stadium operator ASM Global are expected to review the study and decide on a solution. If they decide to move forward with the retrofit, officials do not expect to issue a Request for Proposals sooner than next summer.

Recommended Reading:

 TIME

New York City Set to Adopt Legislation Requiring 'Bird-Friendly' Glass on New Construction [↗](#)



[Council Home](#)
[Legislation](#)
[Calendar](#)
[City Council](#)
[Committees](#)

[RSS](#)
[Alerts](#)

Details **Reports**
File #: Int 1482-2019 **Version:** B
Name: Bird friendly materials.
Type: Introduction **Status:** Enacted
Committee: [Committee on Housing and Buildings](#)
On agenda: 3/28/2019
Enactment date: 1/10/2020 **Law number:** 2020/015
Title: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to bird friendly materials
Sponsors: [Rafael L. Espinal, Jr.](#), [Corey D. Johnson](#), [Helen K. Rosenthal](#), [Justin L. Brannan](#), [Karen Koslowitz](#), [Stephen T. Levin](#), [Bill Perkins](#), [Daniel Dromm](#), [Costa G. Constantinides](#), [Barry S. Grodenchik](#), [Carlina Rivera](#), [Keith Powers](#), [Mark Levine](#), [James G. Van Bramer](#), [Antonio Reynoso](#), [Brad S. Lander](#), [Diana Ayala](#), [Ben Kallos](#), [Margaret S. Chin](#), [Farah N. Louis](#), [Carlos Menchaca](#), [Francisco P. Moya](#), [Public Advocate Jumaane Williams](#)
Council Member Sponsors: 23
Summary: This bill would require that materials that reduce bird strike fatalities be installed on newly constructed or altered buildings.
Attachments: 1. [Summary of Int. No. 1482-B](#), 2. [Summary of Int. No. 1482-A](#), 3. [Summary of Int. No. 1482](#), 4. [Int. No. 1482](#), 5. [March 28, 2019 - Stated Meeting Agenda with Links to Files](#), 6. [Hearing Transcript - Stated Meeting 3-28-19](#), 7. [Minutes of the Stated Meeting - March 28, 2019](#), 8. [Committee Report 9/10/19](#), 9. [Hearing Testimony 9/10/19](#), 10. [Hearing Transcript 9/10/19](#), 11. [Proposed Int. No. 1482-A - 11/18/19](#), 12. [Proposed Int. No. 1482-B - 12/3/19](#), 13. [Committee Report 12/9/19](#), 14. [Hearing Transcript 12/9/19](#), 15. [Committee Report - Stated Meeting](#), 16. [December 10, 2019 - Stated Meeting Agenda with Links to Files](#), 17. [Hearing Transcript - Stated Meeting 12-10-19](#), 18. [Minutes of the Stated Meeting - December 10, 2019](#), 19. [Int. No. 1482-B \(FINAL\)](#), 20. [Fiscal Impact Statement](#), 21. [Legislative Documents - Letter to the Mayor](#), 22. [Local Law 15](#)

History (13)		Text						
13 records	Group	Export						
Date	Ver.	Prime Sponsor	Action By	Action	Result	Action Details	Meeting Details	Multimedia
1/10/2020	B	Rafael L. Espinal, Jr.	City Council	Returned Unsigned by Mayor		Action details	Meeting details	Not available
1/10/2020	B	Rafael L. Espinal, Jr.	Administration	City Charter Rule Adopted		Action details	Meeting details	Not available
12/10/2019	B	Rafael L. Espinal, Jr.	City Council	Sent to Mayor by Council		Action details	Meeting details	Not available
12/10/2019	B	Rafael L. Espinal, Jr.	City Council	Approved by Council	Pass	Action details	Meeting details	Not available
12/9/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Hearing Held by Committee		Action details	Meeting details	Not available
12/9/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Amendment Proposed by Comm		Action details	Meeting details	Not available
12/9/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Amended by Committee		Action details	Meeting details	Not available
12/9/2019	B	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Approved by Committee	Pass	Action details	Meeting details	Not available

Date	Ver.	Prime Sponsor	Action By	Action	Result	Action Details	Meeting Details	Multimedia
9/10/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Hearing Held by Committee		Action details	Meeting details	Not available
9/10/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Amendment Proposed by Comm		Action details	Meeting details	Not available
9/10/2019	*	Rafael L. Espinal, Jr.	Committee on Housing and Buildings	Laid Over by Committee		Action details	Meeting details	Not available
3/28/2019	*	Rafael L. Espinal, Jr.	City Council	Referred to Comm by Council		Action details	Meeting details	Not available
3/28/2019	*	Rafael L. Espinal, Jr.	City Council	Introduced by Council		Action details	Meeting details	Not available