

Local gas distribution companies (such as National Grid) would be required to collect this surcharge as part of their bills to consumers within Brookline. The monies collected would be placed in a newly formed Emissions Reduction Fund. The Zero Emissions Advisory Board (ZEAB) would then be responsible for making recommendations to Town Meeting for which emissions reduction activities should be funded.

Some potential uses for the funds include:

- Funding for low-income building decarbonization retrofits
- Funding for hired professional project managers to manage or guide the process of whole building decarbonization
- Funding for necessary design studies for multi-unit buildings
- Funding additional sustainability positions in Town staff

The surcharge rate would be 25% of the cost per therm of gas used. Gas bills are highly individualized based on how much gas is used, so it is impossible to accurately estimate how much this would increase an individual's specific bill.

In order to equitably manage this surcharge, this Article exempts households with annual income below 110% of area median income (currently \$120,000 for a 2-person family), and provides for a 50% exemption on households below 200% area median income (currently \$215,000 for a 2-person family).

PART TWO:

Because it is necessary to transition away from the burning of so-called “natural” gas, this Article provides alternative “non-pipeline” programs a gas company can offer to users in Brookline. The companies would be able to offer on-bill financing for these “non-pipeline” alternative programs.

Examples of “non-pipeline” programs include:

- Energy efficiency programs
- Selling, leasing, installing or servicing Ground Source or Air Source Heat Pumps as well as other electric heating or cooling devices
- Selling, leasing, installing or servicing electric appliances that would displace or supplement gas appliances (such as stoves, hot water heaters, and dryers)
- Selling, leasing, installing and servicing renewable energy generation and storage equipment (like solar panels and batteries).

ARTICLE 27

Submitted by: Zero Emissions Advisory Board, Chair Jesse Gray, TMM10

This Article is a continuation of the climate action that began with Brookline Town Meeting back in the fall of 2019, documented here as well as [on the Town website](#). It is part of a larger strategy to spur broad and much needed climate action with political leadership. Our Town Meeting is well-suited to provide this leadership, as a politically and intellectually vibrant body that understands the urgency of the global climate crisis.

[In fall 2019, Brookline Town Meeting overwhelmingly passed Warrant Article 21](#), the Prohibition on New Fossil Fuel Infrastructure in Major Construction. This was the first “gas ban” outside California, the first in a cold-weather climate, and the first to include major renovations. It was passed as a general by-law, modeled after the one passed a few months earlier — the first in the US — in Berkeley, California.

Although our [2019 by-law was rejected by the Attorney General](#), its passage sparked a movement which spread throughout Massachusetts, with other municipalities following us. Our reach has proven to be even wider — gas bans have since been announced in New York City and Washington, DC. Our Town Meeting action helped advocate for the MA Legislature to include an opt-in net-zero “specialized” stretch code in the 2021 Climate bill — albeit a code which has yet to be delivered. And it prompted AG Maura Healey to ask the gas utilities to make a plan for achieving the Commonwealth’s legally binding emissions targets. What seemed a little crazy to some of us in 2019 is now appreciated as necessary, and the first step in reducing the emissions of our building stock.

In Brookline, we passed a [Home Rule Petition \(HRP\) in 2020](#), asking the legislature for permission to implement our FFF policy. Subsequently, Home Rule Petitions modeled upon ours were passed by Acton, Aquinnah, Arlington, Cambridge, Concord, Lexington, Lincoln, Newton, and West Tisbury. These HRP’s prompted the inclusion of [Chapter 179](#) (signed by Gov. Baker in the summer of 2022), a “pilot program” enabling **TEN** municipalities to adopt gas bans. This policy achievement was [covered by the Washington Post](#), with a quote from Brookline’s Lisa Cunningham. Since then, Somerville announced their own gas ban HRP, and Boston announced their intention to pass one. One Twitter commentator [suggested that Mass Department of Energy Resources \(DOER\) hold a reality TV show](#) to adjudicate which cities and towns get to become one of the **TEN**. However, the reality is that while we await DOER interpretation of Chapter 179, along with all municipalities in the Commonwealth, we still lack the ability to implement our 2019 policy.

In 2021, Brookline Town Meeting acted again, passing a pair of zoning incentive by-laws, intended to assert our zoning authority to achieve the same policy goals of the original gas ban. Although these zoning incentives were [disallowed by the Attorney General](#) earlier this year, [the Town and petitioners are appealing this decision](#).

As a reminder, our original Home Rule Petition in 2020 called for no fossil fuel infrastructure in new or substantially renovated buildings. It included a few exemptions, including for gas cooking and large-building hot water heaters. This article is an updated, strengthened version of our 2019 policy designed to be legally stronger, fully compatible with the DOER pilot program, and more consistent with the emissions reductions we’ve agreed upon in the Town of Brookline, which is net-zero emissions by 2040, with a 50% reduction by 2030.

Over the past two years it has become clear that exempting cooking is no longer acceptable from a climate or a public health perspective. There have been multiple studies published showing the health risks of gas stoves: that they are associated with [a risk of asthma](#) equal to having a smoker in the home, and that [they leak methane \(and benzene\) even when off](#). Moreover, those who have tried induction cooking are quick converts, since it is superior to gas cooking in almost every way. Our new HRP therefore no longer exempts gas cooking.

We have also updated this new Home Rule Petition to provide a more realistic and widely accepted floor area threshold for gut renovations, using a 50% floor area, instead of the prior 75% floor area for residential construction. The commercial threshold remains the same, at 50%. In this Article, we used the definition of work area from the 2021 version of the policy, which includes square footage of an addition, thereby making it more likely for additions to trigger the requirement.

The new HRP also recognizes advances in recent technology over the past three years by eliminating the qualified exemption for installing gas hot water heaters in buildings over 10,000 square feet, and instead requiring a waiver to bypass this requirement.

ARTICLE 28

Submitted by: Zero Emissions Advisory Board, Chair Jesse Gray, TMM10

This Municipal Climate Empowerment Program (MCEP) Article is one of many needed to achieve the emissions reduction goals this Town Meeting agreed upon last year, when we declared [a goal of net-zero emissions by 2040](#). It is also part of a larger strategy to spur broad climate action with political leadership emanating from this Town Meeting. The specific goal of the MCEP Articles is to address a critical and urgent need for both the *resources* and the *authority* to implement necessary local climate policy in Brookline. We need new laws to allow Brookline — and other municipalities — to summon the will that cannot yet be summoned by the Commonwealth-at-large.

Brookline Town Meeting showed tremendous climate action leadership when we passed the first ever cold-climate gas ban for new construction in 2019, only a few months after Berkeley, CA passed the first ever gas ban in the United States. Doing so was vitally important, even after the Attorney General disallowed it by ruling that it conflicted with legacy laws enacted by the MA Legislature decades ago to protect the utilities. Because of Brookline’s forward-thinking action in passing this by-law, many municipalities in Massachusetts have followed our leadership. Because of Brookline’s bold action, the State Legislature asked for an opt-in net-zero “specialized” stretch code in the 2021 Climate bill — albeit a code which has yet to be delivered. And because of Brookline’s assertive action, the State Legislature included a provision in their 2022 climate bill that allowed 10 municipalities to enact such gas bans. By passing practical, impactful and forward-thinking policies in our town, Brookline has provided — and can continue to provide — strong leadership for other communities and catalyze much needed climate action at the state level.

We urgently need to stop burning fossil fuels — not today, not tomorrow, but NOW. The most conservative climate organizations in the world — the [UN International Panel on Climate Change](#) and the [International Energy Agency](#) — have both issued stark warnings: to avoid catastrophic climate change, we must stop using fossil fuels *immediately*. To achieve this goal, we need to first stop buying new equipment designed to burn these fossil fuels. This equipment includes boilers, furnaces, hot water heaters, dryers, and cooking equipment that burn gas or oil, as well as gasoline cars.

It’s easy to stop purchasing these fossil fuel-burning devices when doing major construction — which is why we started in 2019 with so-called “gas bans” that prohibit new