Zurich voters approve new rules for effective climate protection in building sector

Pestalozzi Attorneys at Law | Environment & Climate Change - Switzerland

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Introduction

On 28 November 2021, Zurich voters approved new rules on reducing CO_2 emissions caused by the building sector. This allows the most populous canton of Switzerland to make a substantial contribution to climate protection.

Currently, 40% of the CO_2 emissions in the Canton of Zurich originate from 120,000 oil and gas heating systems – no other sector in the canton creates more CO_2 emissions. The revised Energy Act will change this fundamentally.

Background

The Paris Agreement of 2015 commits all signatory countries to reducing greenhouse gas emissions and it is a legally binding instrument under the United Nations Framework Convention on Climate Change (the "Climate Convention"). It aims to limit average global warming to well below 2 degrees Celsius, compared to pre-industrial times, with a maximum temperature increase target of 1.5 degrees Celsius. The Climate Convention obliges all signatory countries in a legally binding manner to submit and explain a nationally determined contribution reduction target at the international level every five years.

Switzerland has committed itself to reducing its CO_2 emissions by 50% by 2030, compared to 1990. The revised Energy Act of the Canton of Zurich shall apply to approximately 18% of Switzerland's population and it will make a crucial contribution to meeting the commitment to CO_2 reduction.

Vote on revised Energy Act

With the adoption of the revised Energy Act, new buildings and additions to existing buildings must comply with the current state-of-the-art environmental measures. They must be built and equipped to minimise energy consumption for heating, hot water, ventilation and air conditioning.

In order to meet the demand for electricity, new buildings must also generate part of their energy demand autonomously, for example, with solar panels. This contributes to the expansion of electricity production from renewable sources.

For existing buildings, the revised Energy Act provides for oil and gas heating systems to be replaced by clean, climate-friendly heating systems at the end of their service life cycle. This obligation is subject to two exemptions:

- A climate-neutral heating system is mandatory only if it is technically possible and if the costs over the entire lifetime are no more than 5% higher than a new oil or gas heating system.
- A hardship exemption is in place for homeowners who cannot afford the initial investment costs for a renewable energy heating system.

Further, existing fixed electric resistance heating systems for heating buildings and existing central water heaters that are heated exclusively by direct electric heating must be replaced by 2030 with systems that comply with the requirements of the revised Energy Act.

The revised Energy Act is expected to result in a 95% reduction of CO_2 emissions from heating systems in the Canton of Zurich by 2040, compared to 1990 levels.

Comment

The (rejected) revision of the Federal CO_2 Act would have allowed Switzerland to build on and reinforce its current climate policy in order meet its international commitments to limit the global temperature

increase (for further details please see "Voters reject three environmental bills"). To comply with the Paris Agreement, Switzerland must now find other ways to reduce its CO2 emissions. The approval of effective climate protection in the building sector by the Zurich voters is a step in this direction, and it may serve as an example to other cantons and the federal legislature.

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