

February 24, 2026

### **Letter regarding Ord. 26-008, Jersey City's bird-safe glass ordinance**

My name is Stephen Smith, and I am executive director of the Center for Building in North America, a non-profit research organization based in New York City with the mission to improve affordability and quality in multifamily and other dense forms of housing. I am writing to you today to urge disapproval of Ord. 26-008, creating standards for bird-friendly glass in Jersey City. The best available evidence is that only a handful of birds are killed in collisions per building per year – far too low of a number to justify many thousands of dollars in extra cost for each building. There are even hints in the research that second-order effects of the higher costs of bird-safe glass might kill more birds than they save, by pushing settlement out to suburbs that are even deadlier to birds.

Estimates of the costs of bird-friendly glass rules vary, but proponents of the rule cited a study showing that bird-friendly glass “only” raises the cost of a new building by 0.38 percent.<sup>1</sup> Opponents of the rule cite total construction cost increases ranging from 0.5 percent to 5.8 percent.<sup>2</sup> In my own discussions with New York City developers about the added costs of the bird-safe glass requirement east of the Hudson, they cited numbers for larger projects that ranged from \$750,000 up to \$2 million in one case. However, even the absolute lowest estimate of 0.38 percent is an enormous cost increase for a technical change with such a narrow benefit. There are hundreds if not thousands of other new building regulations with the same costs and similarly plausible benefits that people could advocate for in buildings, improving everything from accessibility to fire safety to environmental friendliness. Writing each off as de minimis and adopting them all without any serious cost-benefit analysis would quickly make construction completely unaffordable.

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<sup>1</sup> Ordinance of the City of Jersey City, N.J.: Ord. 26-008, First Reading, Jersey City Municipal Council, 14, accessed February 23, 2026, <https://cityofjerseycity.civicweb.net/document/445674/Amendments%20to%20the%20Jersey%20City%20Land%20Development%20.pdf?handle=CBCE1105543840AAAE397E395AD21F71>.

<sup>2</sup> Eric Conner, “JC Birds Continues to Mislead on Costs, Impact of Bird Ordinance,” *Better Blocks New Jersey*, February 23, 2026, <https://betterblocksnj.org/2026/02/23/jc-birds-continues-to-mislead-jersey-city-on-costs-impact-of-bird-ordinance/>; E. Assata Wright, “Fulop Says Bird Protection Jeopardizes Affordable Housing,” *Jersey City Times*, December 7, 2025, <https://jcitytimes.com/fulop-says-bird-protection-jeopardizes-affordable-housing/>.

On the benefits side, the arguments put forward by supporters are almost entirely unquantified. The closest that supporters get to putting on number on the benefits that Jersey City might see is in the letter from Jersey City Birds, which states that "[r]esearch studies on buildings that have implemented bird-safe design show that it can reduce collisions by 90 percent." This is presented without any citation or estimate of the number of birds' lives that can be expected to be saved each year for each building.<sup>3</sup>

An independent search for evidence of the harms of buildings to birds raises troubling questions about what the public is actually getting for the costs of bird-safe glass. Table 1 of a review published in *Ornithological Applications* (then known as *The Condor*), the official journal of the American Ornithological Society, collects the numbers of birds killed in building collisions according to various surveys. For studies that sampled more than a handful of buildings, the numbers are extremely low – only a handful of birds killed each year on average by each building. This is consistent with nationwide estimates of between 365 million and 988 million birds per year killed in the United States in building collisions, or between three and nine birds per building per year.<sup>4</sup> Research into bird deaths from building collisions in Canada has produced similar findings.<sup>5</sup> In New York City, the estimates of bird-building collisions by proponents of bird-safe glass have been far lower – fewer than one bird death for each of the city's roughly 1 million buildings per year.<sup>6</sup> To put this into perspective, Americans eat over 8 billion birds per year – around 24 for every man, woman, and child in the country – and we have based an entire national holiday around roasting a particularly large one.<sup>7</sup> A few birds killed by each building – which at least a few people generally live or work in, rising to dozens or hundreds

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<sup>3</sup> Ordinance of the City of Jersey City, N.J.: Ord. 26-008, First Reading, 16.

<sup>4</sup> Scott R. Loss et al., "Bird-Building Collisions in the United States: Estimates of Annual Mortality and Species Vulnerability," *The Condor* 116, no. 1 (2014): 8–23, <https://doi.org/10.1650/CONDOR-13-090.1>; Brian Potter, "Every Building in America - an Analysis of the US Building Stock," *Construction Physics*, November 2, 2020, <https://www.construction-physics.com/p/every-building-in-america-an-analysis>.

<sup>5</sup> Craig S. Machtans et al., "A First Estimate for Canada of the Number of Birds Killed by Colliding with Building Windows," *Avian Conservation and Ecology* 8, no. 2 (2013): art6, <https://doi.org/10.5751/ACE-00568-080206>.

<sup>6</sup> Qianshan Wang, "On the Frontlines of the Fight for a Bird-Friendly NYC," WABC-TV, December 9, 2025, <https://abc7ny.com/videoClip/18269167/>.

<sup>7</sup> Kelsey Piper, "How Chickens Took over America's Dinner Plates, in One Chart," *Vox*, February 19, 2021, <https://www.vox.com/future-perfect/22287530/chicken-beef-factory-farming-plant-based-meats>.

of people for an apartment or commercial building – is simply not many in the grand scheme of things.

Most worryingly, it is plausible that the extra costs for new buildings in Jersey City will force would-be residents to live in places that are even more deadly to birds: the suburbs. The suburbs are particularly deadly for birds for two reasons: single-family houses and cats. Single-family houses are likely to be more deadly than mid- and high-rise buildings on a per capita basis, according to the review in *The Condor*. Bird-friendly glass requirements have not gained much traction outside of America's largest and most expensive cities, so if an apartment building in Jersey City becomes financially infeasible because of an increase in cost, the would-be inhabitants will almost certainly end up in buildings without bird-safe glass elsewhere, with higher bird fatality rates due to their lower density. Furthermore, lower-density cities and suburbs are far more hospitable places to outdoor cats, which by all estimates kill far more birds than buildings do.<sup>8</sup> Any costs that push people out of Jersey City and into lower-density areas will have the result of introducing more cats who prey on birds into the wild.

If Jersey City lawmakers are interested in collecting better data, I would recommend that the city allocate funding to do a year-long survey of bird deaths at a few representative existing buildings across the city. If many thousands of dollars in cost for each new building is an acceptable price to pay to save birds, then certainly a one-time expenditure of a similar amount by taxpayers to properly understand the problem you are trying to solve is warranted. And if the government cannot afford the one-time expense of a study (which is likely to run in the tens of thousands of dollars), then this is a sign for you to reconsider imposing orders of magnitude more cost on the public each year through this requirement.

I understand that there are many people who love birds, and the sight of one at the base of a building can be distressing. But housing affordability is a major issue in Jersey City, and the benefits of new glass standards to a few birds each year have to be weighed against tens or hundreds of thousands of dollars in extra cost for new apartment buildings. Jersey City's government owes it to its residents to base rules on quantifiable data, not emotional appeals. If much greater harms to

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<sup>8</sup> Nico Dauphiné and Robert J. Cooper, "Impacts of Free-Ranging Domestic Cats (*Felis Catus*) on Birds in the United States: A Review of Recent Research with Conservation and Management Recommendations," *Proceedings of the Fourth International Partners in Flight Conference: Tundra to Tropics*, September 25, 2009, 205–19, <https://www.abcbirds.org/wp-content/uploads/2015/07/Dauphine-and-Cooper-2009-Impacts-of-free-ranging-cats-on-birds-in-US.pdf>.

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birds are found by research in the future and costs for bird-safe glass come down, then the topic might be worth revisiting. But based on currently available evidence, the costs are simply not worth the benefits.

By way of disclosure, my organization receives no funding from any construction product manufacturers, and less than 2 percent of the organization's budget has come from individuals tied to the real estate industry.

Thank you,

Stephen Smith  
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