

LOCAL LAW NO. ____ of 2021

A LOCAL LAW amending Local Law 1-2007 “Providing for the Administration and Enforcement of New York State Uniform Fire Prevention and Building Code” to add provisions for a local energy code;

BE IT ENACTED by the Town Board of the Town of Dryden as follows:

Section 1. Legislative Intent

The Town Board of the Town of Dryden seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. On May 12, 2020, the 2020 Energy Conservation Construction Code of New York State (ECCCNYS), updated by the New York State Fire Prevention and Building Code Council, became effective and must be complied with for residential and commercial buildings unless a more restrictive energy code is voluntarily adopted by a local jurisdiction. In 2019, the New York State Energy Research and Development Authority (NYSERDA) developed and published the NYStretch Energy Code 2020 (hereinafter referred to as NYStretch), a more energy efficient building code than the 2020 ECCCNYS. This proposed Local Law amendment seeks to modify the Town of Dryden Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

Section 2. Amendment

Local Law 1 of 2007 Section 2 Definitions is hereby amended to replace the “Energy Code “ definition with the following:

“Energy Code” shall mean the Energy Conservation Construction Code of New York State (ECCCNYS) as currently in effect and as hereafter amended from time to time. The Energy Code includes 19 NYCRR Part 1240. In addition the NYStretch Energy Code 2020, published by the New York State Energy Research and Development Authority (hereafter referred to as “NYStretch”), shall be applicable to all new construction, substantial renovations, alterations and additions, as required by the 2020 ECCCNYS as amended by NYStretch.

Section 3. Authority

The proposed local law is enacted pursuant to New York Energy Law §11-109(1), and Municipal Home Rule Law §10 and in accordance with the procedures detailed in Municipal Home Rule § 20.

Section 4. Severability

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 6. Effective Date

This local law shall take effect September 1, 2021 pursuant to New York Energy Law §11-109(1) and the Municipal Home Rule Law.