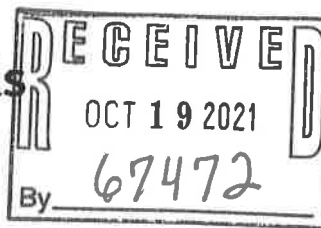




Building Standards and Codes



New York State
Department of State
Division of Building Standards
and Codes
One Commerce Plaza
99 Washington Avenue, Suite 1160
Albany, NY 12231-0001
Phone: (518) 474-4073
Fax: (518) 486-4487
www.dos.ny.gov

Filing to the State Fire Prevention & Building Code Council of More Stringent Local Energy Conservation Construction Code (Energy Code – Energy Law § 11-109)

INSTRUCTIONS TO FILER:

Complete this form to file a more stringent local energy conservation construction code than the State Energy Conservation Construction Code ("Energy Code") with the State Fire Prevention & Building Code Council ("Code Council") pursuant to Energy Law §11-109.

Please note that if the filing is submitted within thirty (30) days of the promulgation or adoption of the local code or amendments or revision thereof, then the Municipality may enforce such local code, amendment, or revision until and unless the Code Council determines that such local code, amendment, or revision is not more restrictive than the Energy Code. **If the filing is not submitted within such thirty (30) day time period, then the Municipality may not enforce such local code, amendment, or revision until and unless the Code Council determines that such local code, amendment, or revision is more restrictive than the Energy Code.¹**

MUNICIPALITY INFORMATION:

This Filing relates to a local energy conservation construction code, or any amendment or revision thereof, promulgated or adopted by the following Municipality²: Village of Irvington

FILER INFORMATION:

This Filing is submitted by the Filer named below (the "Filer"):

- Filer is the Chief Executive Officer of the Municipality.
- The Municipality has no Chief Executive Officer. Filer is the Chairperson of the Legislative Body of the Municipality.
- Other (specify): _____

Name of Filer: Lawrence S. Schopfer

Title of Filer: Mayor Supervisor Chairperson of Legislative Body
 Other (specify) Village Administrator

Address: 85 Main Street
Irvington, NY 10533

Telephone Number: (914) 591-4358 Fax Number: (914) 231-0769 Email Address: LSchopfer@irvingtonny.gov

¹ See Energy Law §11-109(2).

² A "municipality" is a county, city, town, village, school district, or district corporation. See Energy Law §11-102(12).

LOCAL ENERGY CONSERVATION CONSTRUCTION CODE INFORMATION:

This Filing relates to the Municipality's local energy conservation construction code, or any amendments or revisions thereof, entitled: Amending Chapter 95 Irvington Code(Building Construction) to adopt NYStretch Energy .

A true and complete copy of the local energy conservation construction code, or any amendments or revisions thereof, is included herewith and labeled **Exhibit A**.

Date of promulgation or adoption of the Municipality's local energy conservation construction code, or any amendments or revisions thereof: September 20, 2021.

ADDITIONAL DOCUMENTATION:

List here any additional documentation. The Department of State strongly recommends that the Municipality provide a detailed description of (1) the local energy conservation construction code promulgated or adopted by the Municipality, or any amendments or revisions thereof; (2) the corresponding provisions imposed by the Energy Code; and (3) the reasons why the Municipality believes the provisions of the local energy conservation construction code promulgated or adopted by the Municipality, or any amendments or revisions thereof, are higher or more restrictive than the Energy Code. However, do not fail to file a copy of the local energy conservation construction code, or any amendment or revision thereof, within thirty (30) days after promulgation or adoption of such local energy code, or any amendment or revision thereof.³

Exhibit B _____ (document name)
Exhibit C _____ (document name)
Exhibit D _____ (document name)

Dated: 10-14-21



Signature of Filer

Lawrence S. Schopfer, Village Administrator

Print or Type Name and Title of Filer

Please submit this Filing form, all exhibits, and any additional documentation to:

Assistant Director for Code Development
NYS Department of State, Division of Building Standards and Codes
99 Washington Ave., Suite 1160
Albany, New York 12231

Or by email to: **Dos.sm.codes.codedevelopment@dos.ny.gov**.
When submitting petitions via email, type "Local Energy Code:" in the subject line followed by the name of the Municipality and the Local Law # or Ordinance #. (Example: Local Energy Code: Town of Anywhere, Local Law #6 of 2017). **Electronic submissions are strongly encouraged.**

If you have questions concerning submission requirements, please call the Code Development Unit at (518) 474-4073, option 3, e-mail at **Dos.sm.codes.codedevelopment@dos.ny.gov** or fax at (518) 486-4487.

³ Please consult with the Municipality's attorney when submitting a Filing more than thirty (30) days after promulgation or adoption of the local energy conservation construction code, or any amendment or revision thereof.

LOCAL LAW #4 OF 2021

AMENDING CHAPTER 95 OF THE IRVINGTON CODE (BUILDING CONSTRUCTION) TO ADOPT THE NEW YORK STRETCH ENERGY CODE

Section 1: Legislative intent.

The Board of Trustees of the Village of Irvington 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 the local jurisdiction. In 2019, the New York State Energy Research and Development Authority ("NYSERDA") developed and published the NYStretch Energy Code 2020 (the "Stretch Energy Code"), a more stringent energy code than the 2020 ECCCNYS. This proposed local law seeks to modify the Village of Irvington Code to adopt the Stretch Energy Code.

Section 2: Amendment.

Be it enacted by the Board of Trustees of the Village of Irvington that § 95-1 of the Irvington Code is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

§ 95-1 Purpose and intent; applicability of New York State Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code; applicability of NYStretch Energy Code.

- A. This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code* (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Village of Irvington, as well as the Zoning Code of the Village of Irvington. This chapter is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this chapter, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this chapter. No building or structure or part thereof shall hereafter be moved, erected, constructed, reconstructed, demolished, extended or altered except in conformity with the provisions herein contained. [*NOTE: ~~The New York State Uniform Fire Prevention and Building Code (the "Uniform Code") includes Part 1220 (Residential Code), Part 1221 (Building Code), Part 1222 (Plumbing Code), Part 1223 (Mechanical Code), Part 1224 (Fuel Gas Code), Part 1226 (Property~~

~~Maintenance Code), and Part 1227 (Existing Building Code), of Title 19-
of the New York Codes, Rules and Regulations (NYCRR).]~~

- B. *The Village Board hereby adopts the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code), and all subsequent amendments thereto.*
- C. *The NYStretch Energy Code 2020, published by the New York State Energy Research and Development Authority, and all subsequent amendments thereto, shall be applicable to all new construction, substantial renovations, alterations and additions, as required by the Energy Code, in the Village of Irvington.*

Section 3: Authority. This local law is enacted pursuant to New York Energy Law § 11-1109(1) and Municipal Home Rule Law § 10.

Section 4: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 5: This local law shall take effect upon filing with the Secretary of State.

Office of the Village Administrator
VILLAGE OF IRVINGTON
85 MAIN ST
IRVINGTON NY 10533-1743

WESTCHESTER NY 105

15 OCT 2021 PM 2 L



Assistant Director for Code Development
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