



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: The Village of Lima, Livingston County

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: Hon. John Skiptunas

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

Address: The Village of Lima, PO Box 20A, 7329 E. Main Street, Lima, NY 14485

Telephone Number: (585) 624-2210 Fax Number: (585) 562-0890 Email Address: jskiptunas@villageoflima.us

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: Code of the Village of Lima, Chapter 87, "Energy Code".

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: November 23, 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: December 7, 2021



 Signature of Filer

Hon. John Skiptunas, Mayor, Village of Lima

 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 Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Lima

Local Law No. 3 of the year 2021

A local law Amending the Code of the Villag eof Lima, Chapter 87, Entitled "Energy Code".
(Insert Title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 87, entitled "Energy Code," be and hereby is amended and enacted to read as follows:

§ 87-1. Title.

This Local Law shall be known as the Village of Lima Stretch Energy Code.

§87-2. Legislative Purpose.

This Local Law is enacted to protect and promote the health, safety and welfare of the inhabitants of the Village of Lima by mandating energy efficient building standards through the adoption and implementation of the NY Stretch Energy Code of 2020 § 87-3. Adoption of the NY Stretch Energy Code of 2020. Effective immediately, the NY Stretch Energy Code 2020, published by the New York State Energy Research and Development Authority, shall be applicable to all new construction and substantial renovations in the Village of Lima, with the exception of R403.6.2 "Balanced and HRV/ERV Systems (Mandatory)," which is not being adopted and shall not be enforced.

§ 87-4. Authority.

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

§87-5. Administration; Enforcement.

Except as otherwise specifically provided by law, ordinance, rule, or regulations, the Code Enforcement Officer shall administer and enforce all of the provisions of the NY Stretch Energy Code 2020 and any updates thereto, along with all other laws, rules, ordinances, and regulations applicable thereto, for all new construction and substantial renovations after the effective date in the Village of Lima.

§87-6. Effective Date.

This law shall take effect upon filing with the Secretary of State pursuant to the New York Energy Law § 11-109(1) an

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2021 of the (County)(City)(Town)(Village) of Lima was duly passed by the Village Board on November 23rd 2021, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 2021, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

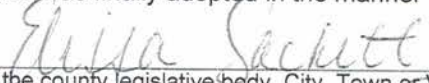
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: 11/29/2021

(Seal)

VILLAGE OF LIMA
LOCAL LAW NO. 3 OF 2021
A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF LIMA
CHAPTER 87, ENTITLED “ENERGY CODE.”

Be it enacted by the Board of Trustees of the Village of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 87, entitled “Energy Code,” be and hereby is amended and enacted to read as follows:

§ 87-1. Title.

This Local Law shall be known as the Village of Lima Stretch Energy Code.

§87-2. Legislative Purpose.

This Local Law is enacted to protect and promote the health, safety and welfare of the inhabitants of the Village of Lima by mandating energy efficient building standards through the adoption and implementation of the NY Stretch Energy Code of 2020

§ 87-3. Adoption of the NY Stretch Energy Code of 2020.

Effective immediately, the NY Stretch Energy Code 2020, published by the New York State Energy Research and Development Authority, shall be applicable to all new construction and substantial renovations in the Village of Lima, with the exception of R403.6.2 “Balanced and HRV/ERV Systems (Mandatory),” which is not being adopted and shall not be enforced.

§ 87-4. Authority.

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

§87-5. Administration; Enforcement.

Except as otherwise specifically provided by law, ordinance, rule, or regulations, the Code Enforcement Officer shall administer and enforce all of the provisions of the NY Stretch Energy Code 2020 and any updates thereto, along with all other laws, rules, ordinances, and regulations applicable thereto, for all new construction and substantial renovations after the effective date in the Village of Lima.

§87-6. Effective Date.

This law shall take effect upon filing with the Secretary of State pursuant to the New York Energy Law § 11-109(1) and the Municipal Home Rule Law.