
INSTRUCTIONS TO FILER:

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: City of Canandaigua

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: John D. Goodwin

Title of Filer: ☑ City Manager
☐ Mayor ☐ Supervisor ☐ Chairperson of Legislative Body

Address: 2 North Main Street
Canandaigua, NY 14424

Telephone Number: (585) 337-2174 Fax Number: (585) 396-5016 Email Address: jdg@canandaiguaneuwyrk.gov

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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: ____________________________.

☑️ 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 2, 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: September 23, 2021 ____________________________

[Signature]

John D. Goodwin, City Manager
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 Canandaigua ____________________________  SEP 13 2021

Local Law No.  3 __________________________ of the year 2021

A local law

"AMENDING CHAPTER 714 "CONSTRUCTION CODES, UNIFORM" ADDING

PROVISIONS FOR A LOCAL ENERGY CODE


Be it enacted by the CITY COUNCIL __________________________ of the

(Name of Legislative Body)

☐ County  ☒ City  ☐ Town  ☐ Village

(Select one:)

of CITY OF CANANDAIGUA __________________________ as follows:

See page 1A

(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 City of CANANDAIGUA was duly passed by the CITY COUNCIL on SEPTEMBER 2, 2021, in accordance with the applicable provisions of law.

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 2021 of the City of was duly passed by the (Name of Legislative Body) on 20, and was (approved)(not approved) (Elective Chief Executive Officer*) and was deemed duly adopted on 20, 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 2021 of the City of was duly passed by the (Name of Legislative Body) on 20, and was (approved)(not approved) (Elective Chief Executive Officer*) (repassed after disapproval) by the on 20.

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 2021 of the City of was duly passed by the (Name of Legislative Body) (repassed after disapproval) by the (Elective Chief Executive Officer*) on 20.

Such local 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 1 above.

[Signature]

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

Date: 9/8/2021

(Seal)
WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) developed by the NYStretch Energy Code – 2020 (NYStretch);

WHEREAS, a stretch energy code is an energy code that is more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a model stretch code that will be ten to twelve percent (10-12%) more efficient than the minimum requirements of the base energy code, the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNYS); and

WHEREAS, under NY Energy Law § 11-109, the City of Canandaigua is authorized to adopt a local energy code more stringent that the 2020 ECCCNYS; and

THEREFORE, BE IT ENACTED by the City Council of the City of Canandaigua as follows:

Section 1. Legislative Intent

The City Council of the City of Canandaigua seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. The 2020 Energy Conservation Construction Code of New York State (ECCCNYS), updated by the New York State Fire Prevention and Building Code Council 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 amendment seeks to modify the City Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

Section 2. Amendment

§714-2 Definitions is amended as follows:

Energy Code
NYStretch Energy Code – 2020 (NYStretch) developed by the New York State Energy Research and Development Authority (NYSERDA)

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