



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on May 18, 2021 at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT:

ABSENT:

The following Resolution was offered by _____, seconded by _____:

RESOLUTION# -2021 STRETCH ENERGY CODE

WHEREAS, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code – 2020 (NYStretch);

WHEREAS, a stretch energy code is simply 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 ECCCNY);

WHEREAS, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for its residents and businesses;

WHEREAS, under NY Energy Law § 11-109, the Town of Marbletown is authorized to adopt a local energy code more stringent than the 2020 ECCCNY;

WHEREAS, the Town Board is considering [either “**amending provisions of Article #** [pertaining to e.g., Building Code, Building Energy Code, Energy Conservation Code, etc.]” or “**to add provisions for a local energy code under Article #**”] of the [Municipality] Code; and

WHEREAS, a public hearing was held on May 18, 2021, at which time all persons either for or against said amendments were heard; and

WHEREAS, the Town Board is declared Lead Agency for the purposes of environmental review with respect to the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, “SEQRA”); and

WHEREAS, the Marbletown Town Board, as Lead Agency, has advised that the proposed action meets the criteria of a “Type II Action” under SEQRA; now, therefore, be it further

RESOLVED, that Local Law No. 4 of 2021 is hereby adopted as follows:

LOCAL LAW NO. 4 OF 2021

A LOCAL LAW [either “**amending provisions of Article #** [pertaining to e.g., Building Code, Building Energy Code, Energy Conservation, etc.]” or “**adding provisions for a local energy code under Article #**”] of the Marbletown Code;

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

Section 1. Legislative Intent

The Town Board of the Town of Marbletown seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. On September 30, 2021, the 2020 Energy Conservation Construction Code of New York State (ECCCNYS), updated by the New York State Fire Prevention and Building Code Council, will become 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 [Code Amendment] seeks to modify the [Municipality] Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

Section 2. Amendment