

Section 1. Chapter 99

“Building Construction” of the Code of the Town of Marbletown, as amended, is further amended as follows:

Local Law #4, 2021 is Amended to remove the language following “**December 31, 2021**” in section **99-1 (A)(2)**.

Chapter 99 of the Building Construction Code shall be amended to include the following provisions:

99-1 (A)(1) Legislative Intent

The Town of Marbletown seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. 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 ECCCNY. This proposed code amendment seeks to modify the Marbletown Town Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

99-1 (A)(2) Adoption of NYStretch Code

The NYStretch Energy Code-2020 supplement to the Energy Conservation Construction Code of New York State-2020, (hereafter referred to as "NYStretch") published by the New York State Energy Research and Development Authority (hereafter referred to as "NYSERDA"), shall be effective for all building permit applications (applicable to new construction, substantial reconstruction, alterations, and additions) submitted on or after **December 31, 2021**. (A copy of NYStretch is annexed hereto and made part hereof. See Attachment “A”)

99-1 (A)(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 2. Notice

This local law shall be filed with the state fire prevention and building code council within thirty days after its adoption.

Section 3. 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 4. 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.