

## **LOCAL LAW NO. 5 of 2021**

A Local Law known and cited as Amendments to Chapter 63 (Building Construction) of the Town Code to add provisions for a local energy code.

Be it enacted by the Town Board of the Town of Ossining as follows:

**SECTION 1.** Purpose and Intent. The Town Board of the Town of Ossining seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. On or about 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 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 local law seeks to modify the Town Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

**SECTION 2.** Amendment to Town Code. Chapter 63 (Building Construction) of the Town Code is hereby amended to add the following section:

### **Section 63-3.1 NYStretch Energy Code 2020**

- A. Effective June 1, 2021, the NYStretch Energy Code 2020, published by the New York State Energy Research and Development Authority (hereafter referred to as “NYStretch”), as such may be amended from time to time, shall be applicable to all new construction, substantial renovations, alterations and additions requiring the issuance of a building permit, as required by the 2020 Energy Conservation Construction Code of New York State as amended by NYStretch, in the Town of Ossining.
- B. Construction, substantial renovations, alterations and additions that obtained an approval necessary to facilitate such work from the Planning Board, Zoning Board of Appeals, Architectural Review Board and/or Town Board, or have been issued a building permit in accordance with this Chapter, prior to June 1, 2021 shall not be required to comply with the requirements of this Section.
- C. A copy of NYStretch shall be made available for public inspection on the Town of Ossining website, in the Town Clerk’s Office and in the Town Building Department.

**SECTION 3.** Authority. This 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, which can be given effect without such invalid provision.

**SECTION 5.** Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF OSSINING