

## LOCAL LAW #4 OF 2021

### AMENDING CHAPTER 95 OF THE IRVINGTON CODE (BUILDING CONSTRUCTION) TO ADOPT THE NEW YORK STRETCH ENERGY CODE

Section 1: Legislative intent.

The Board of Trustees of the Village of Irvington seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. On 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 the local jurisdiction. In 2019, the New York State Energy Research and Development Authority (“NYSERDA”) developed and published the NYStretch Energy Code 2020 (the “Stretch Energy Code”), a more stringent energy code than the 2020 ECCCNYS. This proposed local law seeks to modify the Village of Irvington Code to adopt the Stretch Energy Code.

Section 2: Amendment.

Be it enacted by the Board of Trustees of the Village of Irvington that § 95-1 of the Irvington Code is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

**§ 95-1 Purpose and intent; applicability of New York State Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code; applicability of NYStretch Energy Code.**

- A. This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code<sup>\*</sup> (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Village of Irvington, as well as the Zoning Code of the Village of Irvington. This chapter is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this chapter, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this chapter. No building or structure or part thereof shall hereafter be moved, erected, constructed, reconstructed, demolished, extended or altered except in conformity with the provisions herein contained. [\*NOTE: The New York State Uniform Fire Prevention and Building Code (the "Uniform Code") includes Part 1220 (Residential Code), Part 1221 (Building Code), Part 1222 (Plumbing Code), Part 1223 (Mechanical Code), Part 1224 (Fuel Gas Code), Part 1226 (Property

~~Maintenance Code), and Part 1227 (Existing Building Code), of Title 19 of the New York Codes, Rules and Regulations (NYCRR).]~~

- B. *The Village Board hereby adopts the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code), and all subsequent amendments thereto.*
- C. *The NYStretch Energy Code 2020, published by the New York State Energy Research and Development Authority, and all subsequent amendments thereto, shall be applicable to all new construction, substantial renovations, alterations and additions, as required by the Energy Code, in the Village of Irvington.*

Section 3: Authority. This local law is enacted pursuant to New York Energy Law § 11-1109(1) and Municipal Home Rule Law § 10.

Section 4: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 5: This local law shall take effect upon filing with the Secretary of State.